in this country, and we must be sure, above all, that we have the strength, the power and the will to defend ourselves, our shores, our homes, our people and our freedoms at all times, and under every conceivable circumstance.

To do less than that would be to misinterpret the conditions and threats that exist around us in the country and the world, and we must make sure, as we move into higher levels of prosperity for all, and the enrichment of freedoms for all, regardless of race, class or creed, that we secure and protect this country, and all its communities, as best we can from the hazards of war or subversion, disorders and violence.

This nation and its free institutions are the greatest hope of civilization.

The facility we so proudly dedicate here today is a vital part of our protective system. Let us make it truly meaningful, in terms of efficient performance and concrete results, in fulfilling its great mission of protecting human life.

And let us at all times make it clear to those who harbor objectives of aggression, who are striving to weaken and destroy freedom in the world, and in this country, that our nation intends to protect itself at all cost, to preserve the great heritage of freedom that is ours, and to move forward to greater heights of security, ordered, free government, and better opportunities and better conditions, better prospects for all of our people.

And let us hope and pray that the efforts we are now making to stop the fighting and establish enduring peace in Vietnam and the world will soon be crowned with success.

Heartiest congratulations to our great Civil Defense organization, and to you, Mayor Cromier, and your staff. May this fine facility and all its counterparts always look out over communities, a nation and a world where there is lasting peace.

Thank you for the high privilege and honor of being with you today.

HOUSE OF REPRESENTATIVES—*Tuesday, July 23, 1968*

The House met at 11 o'clock a.m.

Rev. John H. Blakemore, Fairfax Methodist Church, Fairfax, Va., offered the following prayer:

Almighty God, our Heavenly Father, as we face the responsibilities of another day we would pray with the Psalmist of old, "Create in me a clean heart, O God, and put a new and right spirit within me." Cleanse anew our motives and our goals that we shall not swerve in our loyalty for that which is highest and best.

Even as men of faith in all ages have looked up to Thee for strength beyond our human capacity, so we pray that Thou shalt renew our lives by the replenishing of Thy spirit.

Especially we pray that Thou wouldst give these Thy servants the assurance of Thy favor and divinely undergird their highest aims and purposes. We pray in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 6. An act to authorize the Secretary of the Interior to construct, operate, and maintain the initial stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes.

PUBLIC WORKS AND ATOMIC ENERGY APPROPRIATIONS, 1969

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17903) making appropriations for public works for water and power resources development, including certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atlantic-Pacific Interoceanic Canal Study Commission, the Deleware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, the Water Resources Council, and the Atomic Energy Commission, for the fiscal year ending June 30, 1969, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

The Chair hears none, and appoints the following conferees: Messrs. KIRWAN, EVINS of Tennessee, BOLAND, WHITTEN, MORRIS of New Mexico, MAHON, RHODES of Arizona, DAVIS of Wisconsin, ROBISON, and BOW.

THE TAX-DODGING FOUNDATIONS SHOULD BE CONDEMNED BY BOTH MAJOR POLITICAL PARTIES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, it is incumbent upon the Democratic and Republican Parties to oppose the use of privately controlled, tax exempt foundations for purposes of tax dodging. Today, we are confronted with a serious problem because many of our wealthy people escape Federal and State estate taxes by leaving their fortunes to their personal foundations while the average American carries an increasingly heavy tax burden. This also enables a few individuals to control ever increasing tax exempt wealth.

The trend to shift the wealth of America's richest families into their tax exempt foundations and charitable trusts represents a gigantic loophole in our tax laws.

We exclude, of course, the following types of exempt organizations, among others: religious organizations; hospitals; educational institutions; charitable organizations, which are supported in whole or part by Federal and State governmental units, or primarily by contributions from the general public; fraternal organizations, and so forth.

PEACE DEMONSTRATORS AND PEACE CANDIDATES AID AGGRESSION

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, never before in world history have peace demonstrators served the cause of aggression and war as effectively as those recently conducted in the United States. Never before have candidates for office and high office holders served the cause of aggression and war so effectively as some here in the United States when they could have promoted unity and peace.

Events in Czechoslovakia point to disunity behind the Iron Curtain. Recent student demonstrations in Warsaw indicate a disenchantment with the Communist heirarchy. There is widespread unrest reported in East Germany, Rumania, Hungary, and Yugoslavia as well as in Czechoslovakia and Poland. All reports from Red China indicate that Mao Tse-tung is in trouble and there is widespread disillusionment with his brand of communism. North Vietnamese Communists agreed to the Paris peace talks only because of disunity in the Communist world and because of the effectiveness of American airpower in North Vietnam and defeat of Communist aggression in South Vietnam.

Mr. Speaker, it is not too late for the candidates for President to unite behind our foreign policy and to show unity in the face of aggression. It is not too late for the American people to unite and exploit the dissension, distrust, and rivalry in the Communist world.

Mr. Speaker, this year may offer the greatest hope for world peace and the cause of freedom that has presented itself in modern times. Men everywhere want to be free as compared to Communist tyranny and enslavement. It seems that just when Communist solidarity is falling apart, peaceniks and demonstrators and, yes, candidates here in the United States come to the rescue of aggression and thus promote escalation of the war and thwart the cause of peace.

Mr. Speaker, I urge candidates for the Presidency and I urge my colleagues to promote peace through unity here at home.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

AMENDING THE INTERNAL REVENUE CODE

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, this is to announce to the Members, and to solicit their support, of a bill I am introducing today to amend the Internal Revenue Code of 1954 with respect to the trade or business deduction allowable with respect to travel by automobile.

Mr. Speaker, this would provide that the Secretary or his delegate shall prescribe regulations which shall provide that in lieu of allowing the taxpayer a deduction based on his actual expenses of travel by automobile, the taxpayer—at his election—shall be allowed a deduction based on a rate per mile of travel by automobile comparable to the mileage allowance provided for Members of Congress under section 17 of the act of July 28, 1966.

This has been brought to my attention as an inequity for other Government functionaries who must travel. I believe it is in the interest of equity and justice, and I recommend its support by the Members of Congress.

PERMISSION FOR SUBCOMMITTEE ON COAST GUARD, COMMITTEE ON MERCHANT MARINE AND FISHERIES, TO SIT TODAY DURING GENERAL DEBATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Coast Guard of the Committee on Merchant Marine and Fisheries may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTHORIZING SECRETARY OF DEFENSE TO PROVIDE CERTAIN SERVICES TO BOY SCOUTS OF AMERICA

Mr. FISHER. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 15268) to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use in the 1969 National Jamboree, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 15268

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Defense is hereby authorized, under such regulations as he may prescribe, to lend to the Boy Scouts of America, a corporation created under the Act of June 15, 1916, for the use and accommodation of approximately forty thousand Scouts and officials who are to attend the Seventh National Jamboree of the Boy Scouts of America to be held at Farragut State Park, Idaho, during July 1969, such tents, cots, blankets, commissary equipment, refrigerators, vehicles, and other equipment and services as may be necessary or useful to the extent that items are in stock and available and their issue will not jeopardize the national defense program.

(b) Such equipment is authorized to be delivered at such time prior to the holding of such jamboree and to be returned at such time after the close of such jamboree, as may be agreed upon by the Secretary of Defense and the National Council, Boy Scouts of America. No expense shall be incurred by the United States Government for the delivery and return of such equipment, and the Boy Scouts of America shall pay for the cost of the actual rehabilitation and repair, or replacement of such equipment.

(c) The Secretary of Defense, before delivering such property, shall take from the Boy Scouts of America a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

SEC. 2. The Secretary of Defense is hereby authorized, under such regulations as he may prescribe, to provide to the Boy Scouts of America, in support of the encampment referred to in subsection (a) of the first section of this Act, such communication, medical, engineering, protective, and other logistical services as may be necessary or useful to the extent that such services are available and the providing of them will not jeopardize the national defense program.

SEC. 3. Each department of the Federal Government is hereby authorized under such regulations as may be prescribed by the Secretary thereof to assist the Boy Scouts of America in the carrying out and the fulfillment of the plans for the encampment referred to in subsection (a) of the first section of this Act.

Mr. FISHER. Mr. Speaker, H.R. 15268 is a bill to lend certain equipment to the Boy Scouts of America for use in the 1969 National Jamboree.

The equipment this bill authorizes to be loaned would include tents, cots, blankets, commissary equipment, refrigerators, vehicles, and such other equipment and services as may be necessary or useful.

Services to be provided would include communication, medical, engineering, and protective, all of which were specifically authorized by previous enactments for similar support of the Boy Scouts and Girl Scouts. In addition, under the language "other equipment" and "other logistical services as may be necessary or useful" in such previous enactments, the following types of support have been furnished on a nonreimbursable basis:

First. Specialized equipment for administrative support, and the operation of such equipment;

Second. Personnel for security, accounting, and organizational maintenance of the equipment loaned;

Third. Administrative support personnel such as supervisors, medical and dental technicians, military police and bandsmen; and

Fourth. Temporary duty and per diem costs of the foregoing support personnel as authorized by law.

The National Council, Boy Scouts of America, would be required to give a good and sufficient bond for the safe return of the property in good order and condition, without expense to the U.S. Government.

This bill is identical to the many bills that we have passed previously for both the Boy Scouts and the Girl Scouts in connection with their National Jamborees.

Mr. HALL. Mr. Speaker, I am pleased to join in support of H.R. 15268 authorizing the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide certain services to the Boy Scouts of America for use in the 1969 National Jamboree.

Two years ago it was my privilege to handle on the House floor a similar bill relating to the International Boy Scout Jamboree, which also was held at Farragut State Park, Idaho.

This is an excellent program for an excellent organization that does so much to help train our leaders of tomorrow for responsibility and service above self. I commend my colleagues on the Committee on Armed Services for reporting out this measure and I strongly urge its adoption.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATE FIREARMS CONTROL ASSISTANCE ACT OF 1968

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 17735) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 17735, with Mr. ROONEY of New York in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Before rising on Friday, July 19, 1968, the Committee had agreed that the remainder of the bill would be considered as read and open to amendment at any point. Are there any further amendments?

AMENDMENT OFFERED BY MR. M'CLORY

Mr. McCLORY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCLORY: On page 27 after line 10, insert the following:

"SEC. 2. Chapter 44 of title 18, United States Code, is amended by inserting after section 923 the following new section:

"'§ 923A. State Permit Systems; Federal Gun Licenses.

"'(a) The Secretary shall determine which States or political subdivisions of States have enacted or adopted adequate permit systems for the possession of firearms and shall publish in the Federal Register the names of such States and political subdivisions.

"'(b) An adequate permit system shall include provision for:

"'(1) identification of the permit holder appearing on the permit, including name, address, age, and signature or photograph;

"'(2) prohibition on issuance of a permit to a person who, by reason of criminal record, age, mental condition, alcoholism, drug addiction or previous violations of firearms laws cannot be relied upon to possess or use firearms safely and responsibly;

"'(3) means of investigation of applicants for permits to determine their eligibility under subparagraph (2), including filing with the issuing agency a complete set of fingerprints and a recent photograph of the applicant; and

"'(4) prohibition of possession of firearms or ammunition by any person who has not been issued such a permit.

"'(c) After September 1, 1970, it shall be unlawful for any person to sell or otherwise transfer any firearm or ammunition to any person (other than a licensed importer, licensed manufacturer or licensed dealer) unless:

"'(1) the sale or transfer is not prohibited by any other provision of this chapter; and

"'(2) the purchaser or transferee exhibits a valid permit issued to him by a State or political subdivision having an adequate permit system, or the purchaser or transferee exhibits a valid Federal gun license issued in accordance with subsections (d) and (e).

"'(d) A licensed dealer shall issue a Federal gun license to a person eighteen years of age or over upon presentation of:

"'(1) a valid official document of identification (such as driver's permit or birth certificate) issued by the United States, a State or political subdivision thereof;

"'(2) a statement signed by the person in a form to be prescribed by the Secretary, that he is eighteen years of age or over, that he has never been committed to an institution by a court of the United States or a court of any State or political subdivision thereof on the ground that he was an alcoholic, a narcotics addict, or mentally incompetent, that he is not under indictment, has not been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, is not a fugitive from justice, and is not otherwise prohibited by any provision of Federal, State, or local law from possessing firearms and ammunition; such statement may include such additional information regarding the applicant, including without limitation, birth date and place, sex, height, weight, eye and hair color, and present and previous residences as the Secretary shall by regulation prescribe.

"'(3) a statement, in a form to be prescribed by the Secretary and dated within six months and signed by the chief law enforcement officer (or his delegate) of the locality of residence of the person, that to the best of that officer's knowledge the person is not under indictment, has not been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, is not a fugitive from justice, and is not otherwise prohibited by any provision of Federal, State, or local law from possessing firearms and ammunition;

"'(4) a complete set of such person's fingerprints obtained in a manner prescribed by regulation by the Secretary, and a photograph reasonably identifying the person; and

"'(5) a fee of $1 payable to the issuing dealer.

"'(e) Federal gun licenses shall be issued in such form as the Secretary may prescribe, and shall be valid for a period not to exceed five years. A dealer shall maintain a record of all licenses issued by him as part of the records required to be maintained by section 923(d) of this chapter, and shall forward to the Secretary the documents described in subparagraphs (d) (2) and (4).

"'(f) Any person denied a Federal gun license under subsection (d) may apply directly to the Secretary, in the manner prescribed by regulation of the Secretary, for the issuance of a Federal gun license.

"'(g) Unless otherwise prohibited by this chapter, a licensed importer, licensed manufacturer or licensed dealer may ship a firearm or ammuition to a person (other than a licensed importer, licensed manufacturer or licensed dealer) only if the importer, manufacturer or dealer confirms that the purchaser has been issued a valid permit pursuant to an adequate permit system or a Federal gun license, and notes the number of such permit or license in the records required to be kept by section 923(d) of this chapter.

"'(h) After September 1, 1971, no person may possess a firearm or ammunition without having either a valid State or local permit (if he is a resident of a State or locality having an adequate permit system) or a Federal gun license (if he is not such a resident): *Provided, however,* That nothing in this section shall be construed to prohibit the temporary and lawful recreational use of firearms in the presence and under the supervision of a person who has been issued an adequate State or local permit or a Federal gun license.

"'(i) Determinations of adequate permit systems under this section and denials by the Secretary of Federal gun licenses shall not be subject to the provisions of chapter 5, title 5, United States Code, but actions of the Secretary shall be reviewable de novo pursuant to chapter 7, title 5, United States Code, in an action instituted by any person, State or political subdivision adversely affected.

"'(j) A Federal gun license shall be deemed revoked and shall be delivered immediately to the Secretary if the person to whom it has been issued subsequently is placed under indictment, is convicted in any court of a crime punishable by imprisonment for a term exceeding one year, becomes a fugitive from justice, is committed to an institution by any court on the ground that he is an alcoholic, a narcotics addict, or mental incompetent, or otherwise is prohibited by any provision of Federal, State, or local law from possessing firearms and ammunition, and it shall be unlawful for any person whose license is revoked in accordance with the provisions of this subsection willfully to fail to deliver his license to the Secretary.

"'(k) It shall be unlawful for any person willfully to convey or otherwise furnish to another person a Federal gun license which may have been issued to himself, or to a third person, in order to evade or obstruct the provisions of this chapter.

"'(l) It shall be unlawful to knowingly and willfully make a false statement or representation in connection with any application for a Federal gun license.'

"SEC. 3. The analysis of chapter 44 of title 18, United States Code, is amended by inserting immediately after '923. Licensing.', the following:

"'§ 923A. State Permit Systems; Federal Gun Licenses'

"SEC. 4. The following sections of chapter 44 of title 18, United States Code, are amended to read as follows: Renumber 'SEC. 3' on line 12, page 32 as 'SEC. 5.' Renumber 'SEC. 4' on line 15, page 32 as 'SEC. 6.' Renumber 'SEC. 5' on line 14, page 22, as 'SEC. 7.'"

Mr. McCLORY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD. I will explain the same in the course of my remarks. I have circularized the Members with reference to my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

(By unanimous consent, Mr. McCLORY was allowed to proceed for 5 additional minutes.)

Mr. McCLORY. Mr. Chairman, in offering this amendment, I believe we have an opportunity to make this a much stronger bill. The measure already provides for the licensing of importers, manufacturers and dealers in firearms who are the only persons who are thus authorized to engage in businesses relating to firearms. The bill limits the right of a person to transfer or receive guns which move in interstate commerce. But there is no limitation on the part of individuals to transfer or to receive a firearm within a single State.

What this amendment accomplishes is to establish a national policy to the effect that the States should provide for the licensing of gunowners. A number of States have already taken appropriate legislative action in this direction. The significance of this step is self-evident. We want firearms to be possessed and used only by those persons who are responsible individuals. In other words, we want to declare as a matter of national policy that firearms should not be in the hands of juveniles, narcotic addicts, alcoholics, criminals, or other unfit persons. Accordingly, the measure sets forth standards which we believe the State laws should meet in providing for the licensing of legitimate gunowners. Some of these standards which the State system or other local political subdivisions should establish include:

First. Identification of the licensee or permit holder by age, address, signature and photograph.

Second. Restrictions on issuance of permits to unfit persons.

Third. A requirement for the fingerprinting and photographing of the applicant and a prohibition against a transfer of a firearm except to another person who has a valid permit.

Persons residing in States which have not enacted such statutes by September 1, 1970 would thereafter be subject to provisions of a Federal law with comparable standards. Licenses or permits granted under the Federal law at that time would be available through licensed dealers or through the Secretary of the Treasury upon payment of a $1 fee which when issued would be valid for 5 years. These are the essential provisions of this amendment.

I made the text of this amendment available to both the majority and minority committee staffs several days ago. In addition, I inserted in the CONGRESSIONAL RECORD last Wednesday the text of this amendment and an explanation of its provisions.

Let me say most gun owners who have communicated with me, including many who have identified themselves as members of the National Rifle Association, have indicated their support of legislation requiring the licensing of gun owners. That is precisely what this amendment seeks to accomplish. Let me state further, that there is nothing in the amendment which requires the identifi-

cation of any firearms or which would limit the number or types of firearms which a licensed gun owner could purchase or own, nor does the amendment restrict in any way the right of a gun owner to sell or transfer a firearm except that he must transfer it to a person who possesses a permit to own a gun.

It would seem to me that even persons who may not favor the prohibition against the interstate or mail-order sales of guns would, nevertheless, want to support this amendment which would merely give assurance that those who purchase or possess guns are responsible individuals. In essence, that is all that this amendment does. While it reposes authority for carrying out this policy in the State legislatures or other political subdivision—as it should—it provides nevertheless, that if a State fails to assume this measure of responsibility by September 1, 1970 we are not going to let the national policy fail because of any such State inaction.

Any person who claims that he is primarily interested in preventing arms from reaching the hands of the criminal or irresponsible or unfit elements in our society should find this amendment the best and most complete answer to fulfilling his position.

I urge overwhelming support of the House membership for this amendment.

The Members know if they have seen their mail this morning that they received a communication which quoted from a joint statement made by several arms manufacturers of the country with regard to this subject. I believe it is interesting to note that the arms manufacturers themselves recognize that there is an individual responsibility involved in the possession of guns, and that they too as manufacturers have a responsibility. Accordingly, they have expressed support for State legislation to license gun owners. They recommend—as I do in this amendment—that the Federal Government should act only if the States fail to.

While we want to have this done by the States, it seems to me that we should set a limit upon when the States should act. Also we should establish standards that we feel the State legislatures should meet. Otherwise, if we fail to do that, it seems to me we could have some of the States with laws, and some of the States without laws, or we could have such a conglomeration of provisions in the various States that the lack of uniformity would make this gun owner licensing quite ineffective and confusing.

So, Mr. Chairman, the effect of what this amendment does is to establish a national policy, and to establish some national standards, and then to urge or encourage the States to enact their own State gun owner licensing laws.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. I thank the gentleman for yielding.

Mr. Chairman, there is one objective of the gentleman that it seems to me this amendment would not achieve. I believe that one of the objectives of registration is to enable the authorities to trace firearms quickly, and at very little cost, but this amendment which would only register owners instead of guns would not achieve that purpose. Am I right in my understanding of that?

Mr. McCLORY. The gentleman is correct. We have already considered the subject of gun registration, and the membership of the House has elected not to support the registration of firearms. This present amendment has nothing to do with that. This has nothing to do with even the identification of firearms. What this amendment does require is that a person, to own a gun or own 100 guns, should be a responsible individual. We set forth these standards as a matter of national policy. And we urge the States to take care of this, which is the logical place where this authority should be reposed. If they do not do that, then the Federal Government will establish these standards.

Furthermore, let me state, as I stated in my formal statement, that many persons who have written to me and identified themselves as members of the National Rifle Association have recommended at the same time that they support this legislation. It seems to me that this indicates that there is an overwhelming support for gun owner licensing, or the issuance of gun owner permits. Therefore, it seems to me that we should strengthen the bill in this regard in this Chamber.

Let me state that without this amendment we can have all kinds of sales and transfers to irresponsible individuals, within a single State. This bill is wholly inadequate to curb intrastate gun sales unless this gun owner licensing amendment is adopted.

Sure, the pending bill prohibits the manufacturers, importers, and dealers from selling to people whom they know to be irresponsible individuals, and it should so provide. But aside from that there is no prohibition against an individual from owning such a gun, or possessing such a gun without the adoption of this amendment.

Mr. Chairman, again I urge the overwhelming adoption of this amendment.

Mr. McCARTHY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wonder if anybody in this Chamber would quarrel with the statement that ours is an increasingly violent society? I doubt it because the statistics are overwhelming and the hallmark of this increasingly violent society is the pool of blood surrounding the inert form of the murdered victim.

There were almost 8,000 of them last year. We have the highest murder rate of any advanced industrial nation in the world today. The murder rate in this country is five times the murder rate in Canada; five times the murder rate in Australia; 10 times the murder rate in Belgium; 20 times the murder rate in Denmark; 23 times the murder rate in West Germany; 54 times the murder rate in Great Britain; and 67 times the murder rate in Japan.

In all these countries that I have mentioned, they have gun laws of varying stringency and there is a direct correlation between the stringency of a nation's gun law and its murder rate.

We have the most permissive gun laws in the world today of any advanced industrial state.

I want to applaud the Committee on the Judiciary for bringing this bill to the floor of the House. Just like the rest of you, I have been inundated with mail. As the chairman of the Committee on Rules said, this is the most controversial matter ever to come before the House of Representatives in his long career here. The mail is still coming in.

For some reason this touches something very deep in the American psyche and in the life of our American heritage.

I think the committee under the distinguished chairman, the gentleman from New York [Mr. CELLER], is to be commended. But this is only a first step.

One of the arguments advanced by the opponents of these bills to provide for registration of guns and in other ways to regulate and control the sale of guns, is that gun laws do not work.

Well, to some extent that is true—because the States have not been able to seal off their borders. The State of Massachusetts which has a rather strict law estimates that 87 percent of all the firearms that are picked up in connection with crimes and criminal cases in recent years have come from outside the State of Massachusetts, because they come in mostly by mail.

If we are going to seal off the borders of the various States by prohibiting interstate mail-order sales, then the next logical step is to have a licensing law in each State which would require the gun owner to have a permit—and that is not to harass the people who go hunting for sport, but for the purpose of keeping criminals and lunatics and addicts and minors and alcoholics from getting these guns.

Thirty-one States already have a permit system of varying kinds.

Yesterday, at Austin, Tex., the President announced that the Governors of 40 States had endorsed his idea of stronger State laws.

As the gentleman from Illinois pointed out, Remington Arms, Winchester, Savage Arms, and Ithaca Gun Co. and others have endorsed the basic idea contained in the amendment that has been offered by the gentleman from Illinois.

They have endorsed the idea of firearms owner licensing statutes.

Now, we license dogs.

You have to have a license to drive a car.

You have to have a license to get married.

Why not have a license to have a gun?—a State law simply for the protection of society and to keep these guns out of the hands of dangerous and irresponsible persons.

How long can we keep up this constantly escalating murder rate?

I was amused by the statement of the Senator from Mississippi, Senator EASTLAND, after he faced a gun battle on the Delta Airlines flight. He said, "Well, it is the Supreme Court's problem."

The fact of the matter is that if the amendment we are now considering were in effect and were the law of the land, then the person who harassed Senator EASTLAND and the 47 other people on that

plane would have been unable to purchase that .45 automatic because he had a long history and had been diagnosed as a psychotic schizophrenic as long ago as 1958.

Under the amendment offered by the gentleman from Illinois, such a person would not have been able to purchase a gun.

Mr. SIKES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not think it will take long to dispose of this matter. This is the entering wedge, the soft sell, the foot in the door. The proponents of the antigun law failed badly on Friday in their efforts to require the registration of firearms. Now they are back with this, oh so innocent, amendment. It merely requires that all law-abiding gun owners be fingerprinted, photographed, and recorded for future reference, with all the paraphernalia, redtape, and bureaucracy which would have accompanied the registration requirement except that this would be effective at a date later to be determined.

The proponents say, "Oh, do not worry. We are going to let the States have a chance to put this gun licensing bill into effect first."

Well, the States already have a chance to license gun owners, and some of them do, and that is all right with me. They do not need the Federal Government to tell them how or when. That is where controls ought to stay—at the local level.

I do object to this sleeper amendment which would let the Federal bureaucrats slip in the back door and take over firearms licensing. This is a modified form of registration and nothing less.

There has been reference to hearings before the Senate subcommittee on this subject. Statements have been circulated which are reported to have been made by gun manufacturers. These are to the effect that the manufacturers favor a licensing program at the Federal level. Well, here is their statement. I hold it in my hand. There is not a word in this statement to indicate that the manufacturers favor a Federal gun licensing statute. Instead they clearly recommend that licensing be done at the State level. They recommend simple anti-mail-order provisions at the Federal level, and nothing more, and that is what the basic committee bill proposes.

Under the proposed amendment—let us face it—we would have a Washington-appointed czar for gun licensing. That would be a sweet business for some enterprising bureaucrat who would be in position to determine when the States could no longer be trusted to conduct their own gun licensing program. The new gun licensing czar, of course, would start empire building today, and on tomorrow we could have a new version of prohibition. I think America had enough of the evils of prohibition the last time we tried it.

Let us not be naive about what we are expected to do here. This is another antigun bill with sugar coating; but you will be just as sick from it tomorrow. Your constituents will find the same type of restrictions, fees, and penalties against weapons' ownership by law-abiding citizens that were proposed last Friday, and the criminal will be just as free to obtain and use a gun under this amendment as he is today. If you insist on taking guns away from law-abiding citizens, by making it more difficult to own them, the criminal simply is going to be able to use his with much less interference.

I suggest that the House overwhelmingly vote down this pig in a poke.

Mr. DENNEY. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Nebraska is recognized.

Mr. DENNEY. Mr. Chairman, I take these few minutes to ask one or two questions of the distinguished chairman of the Judiciary Committee or some member on the minority side of the Judiciary Committee in regard to the bill that we have been considering in the last few days.

I heartily support the committee bill. I had an idea as an attorney that we have the authority in the House of Representatives to pass legislation under the interstate commerce law to guide and control the traffic in firearms and destructive weapons, but where in the world do we in the House of Representatives get the authority to pass legislation which would require every owner of a weapon to be photographed and fingerprinted and to turn his personal life over to the Secretary of the Treasury or whoever it may be?

I have studied that Constitution since I have been in the law business, and nowhere do I find such a provision in the Constitution.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. DENNEY. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, this Congress has taken action to set standards with regard to automobile safety, with regard to consumer products, and all kinds of other subjects. I see no reason why we should not set national standards for State laws for licensing owners of rifles, shotguns and revolvers.

It seems to me all this legislation does is establish standards and encourage the States to enact their own statutes, such as my own State of Illinois has already done, and if the rest of the States will do that, there is no need for a Federal law. We are granting a 2-year period within which the States can act. If they do not act, then the Federal standards which we are setting forth will become effective. That is all this really does.

Mr. DENNEY. Mr. Chairman, let me say to the gentleman from Illinois, the mere fact that other houses have made mistakes does not mean that is a license for us to make another one.

Mr. McCLORY. Mr. Chairman, if the gentleman will yield further, the mistakes to which the gentleman is referring are actions taken by this Congress with respect to protection of consumers and with respect to automobile safety, and other subjects.

Mr. DENNEY. I think the excuse that because other Congresses have done so, we should do so, is absolutely asinine. I think we have a constitutional duty. We took our oath of office on January 10 last year saying we would uphold the Constitution. When any Member votes to destroy the Constitution by passing unconstitutional legislation and by assuming that because other Congresses have done so, that it the way we should do it, to me that is not a logical argument.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. DENNEY. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Chairman, the gentleman is making a very significant argument. Let me remind the distinguished gentleman, every licensing arrangement that has been suggested as argument for weapons licensing is done at the city or State level. There is no Federal licensing in any category that has been mentioned in this debate. These illustrations provide justification for Federal licensing of weapons or weapons owners.

Mr. MIZE. Mr. Chairman, will the gentleman yield?

Mr. DENNEY. I yield to the gentleman from Kansas.

Mr. MIZE. Mr. Chairman, I would like to ask the distinguished gentleman from Illinois a question. If the people in Illinois are very proud of this law in the State of Illinois, how is it I have always been able to go to Abercrombie & Fitch in Chicago, and there I can buy any shotgun I want, and they ask me no questions?

Mr. McCLORY. Mr. Chairman, if the gentleman from Nebraska will yield further, I have been talking about an Illinois law which just became effective on July 1, and the now Governor of the State of Illinois has postponed the effectiveness, under some authority I do not know about, until the first of September, but the Illinois law to which I am referring is a new law.

It is consistent with what I understand gun owners themselves want. As a matter of fact, I have had communications from a number of persons who identified themselves as members of the National Rifle Association, who say they do not want registration of firearms, but they do support gun owner licensing, just as the manufacturers themselves have said, and quite accurately, that if the States do not act, then, of course, the Federal Government should act. That is all this legislation does.

Mr. DENNEY. Mr. Chairman, I have one more point. I know that the President has asked every State Governor to review his State laws and submit a report. To my colleagues let me say this: I abhor the criminal element that has run rampant in this country, but I still believe we must look to the Constitution for authority for whatever we do. Anything that is not directly spelled out is reserved to the States. Let us not get caught in the trap that every time there is a hue and cry by the populace of this country, we destroy the Constitution and proceed to pass laws merely to salve someone's conscience. If we are going to do this, let us do it the right way.

Mr. CASEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I received a message this morning in my office from the gentleman who has offered this amendment. I want to refresh the memory of the gentleman with respect to the Omnibus

Crime Act, or whatever it was called, H.R. 5037, which we passed a while back. If the gentleman from Illinois will listen, I want to point out to the gentleman certain facts he has evidently overlooked.

Under title VII of that act, under "Unlawful Possession and Receipt of Firearms," it is now the law that it is illegal for anyone to receive, possess, or transport firearms if he was a felon, a dishonorably discharged veteran, mentally incompetent, alien illegally in this country, or a former citizen who has renounced his citizenship. The only few things that were not covered, that are in this statement, are minors, and dope addicts—they were not in this former bill.

Mr. McCLORY. Mr. Chairman, if the gentleman will yield, I believe what the gentleman refers to are dealings in what are defined in the law as "destructive devices" and also transactions in interstate commerce by dealers, importers, or manufacturers.

Mr. CASEY. Just a minute.

Mr. McCLORY. That is not what I am talking about.

Mr. CASEY. Just a minute. I yield no further, because the gentleman has not read it all.

Mr. McCLORY. To what page does the gentleman refer?

Mr. CASEY. Start on page 126 of H.R. 5037. It is now the law. That is now the law. That applies to long guns. Under the section, it refers to firearms. In the definitions it says that firearms mean any weapon, including a starter gun, frame, and it says the term shall include handguns, rifles, or shotguns.

So we have the law now.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. CASEY. Not yet. Let me finish.

The Secretary, under his broad powers, could write such regulations that no mail-order house could comply with them, if he wanted to.

Mr. McCLORY. In the first place, we cover interstate sales in that legislation, as we do in the bill now before us.

Furthermore, we refer to dealers, importers, and manufacturers, and not individual transactions.

Furthermore, there is nothing in the pending or earlier legislation which requires permits or licenses for any individual gun owner, but only licenses for importers, manufacturers and dealers.

I say we should have licenses for the people who own, hold, and use guns. I believe the gentleman from Texas should be supporting that.

Mr. CASEY. I am not supporting any licensing, I am glad to tell the gentleman. I do want the gentleman to know we have the law on the books, that this House passed, which covers all guns. It does not make any difference whether it is shipped, or over the counter, or what. The Secretary has the authority to tell the mail-order houses and also anyone selling over the counter, to persons designated in the bill, what the regulations are.

Mr. McCLORY. If the gentleman will yield further, even on the mail-order sales and over-the-counter sales they do not have requirements for the person selling the gun, if he is selling it in intrastate commerce, as to determining that the person is a responsible individual. If he has reason to believe he is a responsible individual he can ship or sell the gun.

Mr. CASEY. I know, but I wanted to point out that the gentleman's statement, which he sent around this morning, was inaccurate in some respects.

Mr. McCLORY. I agree that the first sentenence was inaccurate—or incomplete. I intended to explain that neither in the pending bill nor in the omnibus crime bill is there any limitation on individuals in their dealings intrastate. We are concerned in the pending bill with prohibitions against interstate sales and mail-order sales. My amendment relates to individuals—and to intrastate transactions. The amendment admonishes the States to enact their own State laws to prevent inexperienced and unfit persons from acquiring or owning firearms.

Mr. CASEY. Intrastate commerce is covered in the act already passed, so far as felons are concerned, and veterans other than honorably discharged.

Mr. McCLORY. Yes, insofar as transactions with federally licensed dealers are concerned. But no individual gun owners are required to secure permits to show that they meet standards of responsibility and fitness.

Mr. CASEY. It says nothing about federally licensed dealers. Read it. It says nothing about federally licensed dealers.

Mr. Chairman, I yield back the remainder of my time.

Mr. KYL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

One hundred and fifteen Members are present, a quorum.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in support of the amendment that has been offered by my friend and colleague from Illinois [Mr. McCLORY]. I fail to see that this amendment constitutes the grave danger to private ownership of firearms; that it constitutes any threat, implicit or explicit, to the legitimate sportsmen and hunters and gun collectors of our country.

I think the gentleman from Illinois [Mr. McCLORY] should be congratulated for offering his amendment at this time for a particular reason; namely, because just over this past weekend we were informed in the press that a code is now being prepared, a nationwide code, for adoption by the several States, that would provide precisely for the licensing provisions that are provided for in the amendment offered by the gentleman from Illinois.

Mr. Chairman, the question has been raised by my good friend, whom I certainly respect, the gentleman from Iowa, who preceded me in the well, what business does the Federal Government have in this area? Why should they attempt to tell the States what to do? Well, as I read the amendment offered by the gentleman from Illinois, he is giving the States a 2-year period, until 1970, to comply with the provisions of the model code that is even now being worked out and which was referred to in the article which I mentioned a moment ago. So, I do not think that there is any compulsion here or there is not anything being forced on the States. Rather, I would look on the amendment as providing the incentive and the spur to the States to take the action which I think is really in the process of being taken at the present time.

The other point that was raised, and which is certainly valid and should be answered, is that we are interfering in a matter which is really not interstate commerce. I was interested to read over the weekend the remarks of Mr. Elliott Richardson, the attorney general of the State of Massachusetts, who pointed out that that State has one of the strictest gun control laws in the Nation. Then he went on to point out that 87 percent of all the firearms used in crimes were coming from outside the State. So it seems that this is a matter involving interstate commerce.

If my State of Illinois or any other State of the Union wants to protect itself with a permit or a licensing system, it is not going to be much protection if a man can simply go over the border to a neighboring State which does not have a licensing system or a permit system and acquire weapons there. So, I think we are involved in the interstate commerce field. I do not see the constitutional bar to action that some people are afraid of.

Now, Mr. Chairman, let me very quickly in closing quote some remarks to you from a distinguished editor and publisher who is certainly not identified with the liberal establishment. I think he is a gentleman of rather conservative persuasion, Mr. David Lawrence, the editor of U.S. News & World Report, who said in a recent article which he wrote for one of our Washington newspapers:

> It is surprising how many people oppose legislation regulating the sale of firearms. No one is objecting to the acquisition of guns for sporting purposes, but there is no reason why licenses cannot be required before guns of any kind can be bought. Authorities could sanction such purchases only after determining that a rational and law-abiding individual wanted to possess a gun.

As I read the amendment offered by the gentleman from Illinois, that is what it sets out to do, that is, to make it possible to enforce the law. People say "Enforce the law. That is the cure." I agree, but a permit or a licensing system would enable the States to do precisely that, that is, to screen out the convicted felon, the drug addict, the alcoholic, the juvenile, or the person who, for other reasons, is not responsible and is not in the category with the sportsman, the collector, and the responsible gun owner and therefore should not be freely able to go in and over the counter purchase guns and ammunition.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I shall be happy to yield to the distinguished gentleman from California [Mr. TEAGUE].

Mr. TEAGUE of California. Mr. Chairman, I thoroughly agree with the gentleman from Illinois and associate myself with his remarks.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I shall be happy to yield to my distinguished colleague, the gentleman from New York [Mr. REID].

Mr. REID of New York. I thank the gentleman from Illinois [Mr. ANDERSON] for yielding and I commend him for his statement. In addition, I compliment the gentleman from Illinois [Mr. MCCLORY] for a fine and responsible amendment on licensing, and for his initiative.

Very quickly, Mr. Chairman, I think this amendment, if adopted, would tend to accomplish at least three things.

First, it would prevent new acquisition of firearms by convicts, the mentally sick, and alcoholics; since any State permit system which is to be considered "adequate" under the amendment must prohibit possession, and not merely purchase, of firearms and ammunition by any person who has not been issued a permit.

Second, over the months it would tend to remove from circulation some firearms, when carried by unlicensed individuals who are encountered under certain circumstances by the police.

Third, it should tend to reduce the likelihood that crimes would be committed with firearms, with some attendant reduction in the number of fatalities. Specifically one out of five assaults conducted with a firearm results in a fatality; whereas a fatality occurs in one in 20 assaults when weapons other than firearms are used.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

(On request of Mr. WILLIAMS of Pennsylvania, and by unanimous consent, Mr. ANDERSON of Illinois was allowed to proceed for 3 additional minutes.)

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS of Pennsylvania. On page 15 of H.R. 17735 it states that it shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or otherwise dispose of any firearm or ammunition to any person, knowing or having reasonable cause to believe that such person is a fugitive from justice or is under indictment or has been convicted in any court of a crime punishable by imprisonment for a term exceeding 1 year and to people who fall into other categories.

Also, this bill provides that all importers, manufacturers, and dealers must be licensed under the regulations established by the Secretary of the Treasury.

Now, it has been my thought that under the bill as it is presently written the Secretary of the Treasury would require these licensed dealers who are selling guns to determine that such person does not fall into any of these categories—all of the categories which are included in the amendment which has been offered by the gentleman from Illinois [Mr. MCCLORY], except alcoholics.

My question is this: Why can the Secretary of the Treasury not establish regulations which will accomplish the same purpose as the McClory amendment?

Mr. ANDERSON of Illinois. Mr. Chairman, in response to the gentleman's questions I am not entirely certain that these matters he has referred to would come under the terms and provisions of the legislation and that the Secretary would have the powers that the gentleman from Pennsylvania [Mr. WILLIAMS] has described.

I would repeat as I said earlier, it seems to me it would make it much easier to enforce those provisions written into the law as provided for in the McClory amendment. In other words, require the individual to display a license or a permit before purchasing a weapon or weapons or ammunition. It would make it easier to know who is entitled to this privilege and make it easier for the enforcement and in determining those who are eligible to purchase arms. Also, who was eligible and was not disqualified on any of the grounds set forth in the amendment.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, if the gentleman will yield further, I would like to point out to the distinguished gentleman from Illinois that this particular bill provides that the Secretary shall have the responsibility of licensing manufacturers and dealers, and if anyone violates any provision of this bill their license would be revoked and the penalties run as high as a fine of $5,000 or 5 years imprisonment, or both.

Mr. ANDERSON of Illinois. In my opinion I will state to the gentleman from Pennsylvania I think this is a good States rights amendment. The gentleman has offered this rather than leaving it to the National Government or the Secretary of the Treasury to make these determinations.

Under the provisions of the amendment which has been offered by the gentleman from Illinois [Mr. MCCLORY] the States would be permitted to do the screening and examining and grant the licenses and permits.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the big thing that strikes my attention in this whole debate is that the breakdown in law enforcement, and the great increase in crime which exists and needs to be stopped would actually go untouched. We are here dealing with what we might do with regard to selling or buying guns and we are dealing with it in such a manner to indicate that some such action, either registration, license or prohibition of sale through the mails, which is probably one-hundredth of 1 percent would somehow stop the present wave of vicious crimes of violence. Of course none of the proposals would really touch what is destroying our country. There are millions of guns in private hands now. The law-abiding citizen would doubtless obey whatever law we pass, but how about the criminals? I believe I read in the press the other day that five banks have been robbed here in the Washington metropolitan area during the last 3 days.

Does anyone think any one of those robbers who robbed those banks would come in register his gun or guns or obtain a license? Of course not.

We have had a great many murders committed in this country. But does anyone think that the individual who is planning to commit murder or who does commit murder would come in and register his or her gun either before or after?

Mr. MCCLORY. Mr. Chairman, would the gentleman yield?

Mr. WHITTEN. Not at this moment.

Mr. Chairman, it would appear to me that the honest, law-abiding citizens under this act would likely register or obtain a license for a gun. Then if the wrong person got to be in charge of the Department of Justice, or in some other high place in our Federal Government, he might call in all of those guns, but he could call until he got blue in the face and he would not get the guns out of the hands of those people who are committing these crimes.

Mr. Chairman, what we should be doing here is to stop this crimewave, and to do that we must take the Supreme Court shackles off our police. We must make it possible to obtain responsible persons on our juries, and we must stop the Supreme Court and courts bound by it from freeing murderers, rapists, admittedly guilty upon a defenseless public by putting newly court-found individual rights of a criminal ahead of the welfare of the general public, of society itself.

If we want law enforcement we have got to have good police officers, and let them do their duty. We have to have good jurors. We have to have good prosecutors, and we have to have good judges who put the general welfare ahead of newly discovered individual rights of criminals.

But to have a law which would require the law-abiding citizens to register or license their weapons, when we know that the criminal element will not, is only to make bad matters worse, for we would thereby leave the general public even more helpless at the hands of armed criminals.

Mr. MCCLORY. Mr. Chairman, would the gentleman yield?

Mr. WHITTEN. I will now yield to the gentleman from Illinois.

Mr. MCCLORY. I thank the gentleman for yielding.

Mr. Chairman, I would like to say that this amendment has nothing to do with the registration of weapons. It has to do only with gun owners being themselves granted a license or permit. And the licensing of gun owners would help in the enforcement of the law. I am sure that the gentleman would agree with that.

Mr. WHITTEN. The gentleman is just playing with the words "registration" and "licensing." What is the difference? I will register my weapons, but the criminal who is not going to register a gun is not going to seek or obtain a license.

As the gentleman knows, a police officer would not have any right to search one who may be a criminal to see if he had a gun on him unless he had other reasons to arrest.

Mr. Chairman, I repeat that the pro-

posal before us makes it possible for the wrong people in government to disarm the honest, law-abiding citizen and prevent him from protecting himself, when anybody who has had any experience knows that the criminal element will not get licenses or register guns.

Mr. CELLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to repeat a thought that I expressed on the occasion last week when we considered the amendment involving registration, and that is a thought concerning licensing which is involved in the present amendment.

At that time I stated, "I rise in opposition to the amendment." I now rise in opposition to the amendment offered by the gentleman from Illinois involving licensing.

I do so only to keep a pledge I made to the members of the Rules Committee. I do not oppose the matter of conviction. In fact, as the Members of this body know, I have introduced a bill—H.R. 18110—which seeks the same objective. Thus, I speak for myself alone. I can only urge that each Member vote his own conviction. It is because I made that pledge that I shall not dwell on the merits of the proposed amendment. Each of you understands, I am sure, as legislators, the compelling reasons for by having given my word.

I shall keep my word, and therefore I oppose this amendment.

Mr. McCULLOCH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to oppose the amendment. I rise for that purpose for two reasons, the second being the more compelling to me than the first, although the first is compelling, because I gave my word on a course of action.

First, when the bill was first up for debate on Wednesday I said from the floor that I was opposed to registration and to licensing for the reason that both the chairman and I, believing it was necessary to bring this bill to the floor of the House, said to the Committee on Rules that we would not agree to an amendment either for registration or licensing.

Second, Members of the Committee, I believe there are serious questions of constitutionality concerning the licensing of every owner of a gun by the Federal Government.

The careful reader of the amendment offered by the gentleman from Illinois [Mr. McCLORY] will observe that the proposal is entirely unrelated to any of the powers that have been delegated to the Federal Government under the Constitution. It has been suggested to me that Congress may adopt such an amendment under its power to regulate interstate commerce.

But what does licensing of the person have to do with interstate commerce, or even intrastate commerce? The amendment would require that every person get a permit in order to possess a firearm—even if such person has possessed such firearm for years or even if such person made the firearm himself. It is quite clear in analyzing the amendment that it is not commerce but possession of private property that is regulated.

The amendment does not focus on commercial transactions but on simple possession. Thus the amendment flies in the face our constitutional framework by proposing that the Federal Government take on the function of licensing the use of private property. That function belongs to the States.

It is therefore my opinion that the amendment of the gentleman from Illinois is unconstitutional.

In addition, Mr. Chairman, the cost of licensing gun owners in this country would be tremendous. I will take the lowest figures that I have heard as the cost for licensing.

I have heard no one say that it would cost less than $1 per person to establish a national licensing law. Others say it would cost $5. From the State of New York comes the estimate that adequate licensing would cost approximately $25 per person.

The number of guns in America is variously estimated by responsible people.

The President said that there were an estimated 50 million to 100 million guns in America.

I am reliably advised that the industry thinks there are somewhere in the neighborhood of 200 million guns in America. Five times 200 million, as my arithmetic totals it up, would amount to a billion dollars.

So for reasons of cost, Mr. Chairman and members of the Committee, and by reason of the fact that under our federal system of government, licensing gun owners, if there is to be any licensing, should be done by the States where the real and primary police power lies.

Mr. Chairman, I urge the defeat of this amendment.

Mr. SAYLOR. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, no one in this room has probably ever heard at all of Charles Lee Howard. He will never serve in the Congress of the United States—but he is a gun expert. I am delighted to follow the gentleman from Ohio [Mr. McCULLOCH] because the person whose name I have mentioned is an involuntary citizen of the gentleman's State of Ohio. He bears a number in the Ohio State Penitentiary, No. 122–596.

This is his statement, and I think it is very appropriate when we are considering an amendment such as we have had offered today:

AN "EXPERT" SPEAKS ON GUN LAWS

(By Charles Lee Howard, No. 122–596, Ohio State Penitentiary)

At 26, I have possessed 20 pistols. And I acquired only one of them in even a semi-legal way. The other 19 were stolen by me or for me by friends.

This may shock those legislators and other nice people who believe that if you make it harder for a target shooter to buy a pistol, you automatically make it harder for the criminal to get one.

But it's old hat to me and my friends. You see, we are not target shooters, handgun huntsmen, plinkers or collectors. We don't belong to gun clubs or groups of that sort.

We must have pistols because they are the tools of our trade, crime.

We are the ones the anti-gun people want to crack down on by making it hard for old ladies who live alone to buy pistols for self-defense.

I am serving my third felony sentence, writing this from the Ohio State Penitentiary at Columbus. I arrived here January 10, 1966, sentenced to 15 to 55 years on charges of armed robbery and kidnapping.

From inside prison, the anti-gun uproar makes strange reading. It is baffling that the people who want to prevent criminals like me from getting hold of guns expect to accomplish this by passing new laws.

Do they forget that the criminal makes a business of breaking laws? No criminal I know would obey a gun law while committing a crime of equal or greater seriousness.

The criminal who wants a gun doesn't have to look far. He can steal one from a private home, an office, a store, or a car. Bank messengers who carry large sums of money usually are armed. But in communities where it is illegal to carry a concealed weapon on one's person, they have to leave their guns in their cars when they make stops on business. It is easy enough for a crook to learn a bank messenger's route, trail him and, when the messenger makes a stop, lift the gun from the glove compartment or from beneath the seat. A veteran con I know swears he got six guns this way in a single day!

We have reduced ourselves to complete ridiculousness in offering amendments such as this. I hope the House votes this down.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment for an interlocking plan of State permit systems and Federal gun licenses. This bill before us now has caused a great deal of controversy and heated argument, primarily because gun owners such as sportsmen and target shooters fear that they will be subjected to undue burdens such as heavy registration fees and even confiscation of weapons, as well as the inconveniences brought out in floor debate Wednesday. But with such a wide divergence of opinion, there must be some room for compromise, and I believe that this amendment is a good example of the compromise we should be seeking.

This amendment will limit the legitimate use of guns to honest and competent citizens, without making it necessary to create another massive Federal bureau or impose a heavy registration fee on all guns now in private hands. It is simple and effectively administered. The bill leaves the primary task of issuing permits to the States, with effective supervision left with the Federal Government so that regulation will apply uniformly. The issuance of a Federal gun license will be left with the licensed gun dealer, using procedures and documents established by the Secretary of the Treasury. If the dealer refuses a permit without good cause, the injured party may appeal to the Secretary. If the dealer grants permits illegally, he may be punished by means of his license.

I hope that this amendment will help meet the legitimate interest of both sides in this dispute. As a sportsman and gun-owner myself, I am certainly aware of the problems that this bill raises for my fellow hunters and collectors. But I feel that these inconveniences are not so overwhelming that we cannot put up with them for the sake of a meaningful effort to disarm criminals and those persons, mental incompetents, juveniles, and so forth, who should not possess firearms.

People have been talking about a great many forms of gun control but I think one area has been left completely untouched in this debate.

Some remarkable information was revealed this year at our Treasury-Post Office Appropriations Subcommittee hearings when the Bureau of Customs appeared.

A spot check was run for 1 day at New York and San Francisco which involved an examination of 100 percent of the mail which arrived in this country that day.

More than 63,000 packages were examined and of this amount more than 13,000 packages were found to involve one or more violations of U.S. law.

More than 1,200 packages contained stolen Government property including 90 weapons such as assorted live grenades, Thompson submachineguns, so-called greaseguns and handguns.

That is 90 weapons entering this country illegally in just 1 day.

This is certainly a matter for great concern and something which should have the focus of our attention. Yet Customs continues to be greatly understaffed and therefore not capable of making its best efforts to prevent these illegal entries. And now with the freeze on hiring applicable to Customs, the situation is going to get worse.

I think it would be extremely helpful and beneficial if Customs were given sufficient manpower to be able to operate at its most effective level to prevent the illegal entry of weapons into our country. The first step in accomplishing this, furthermore, would be to remove Customs from the freeze on employment.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I thank the gentleman for yielding and I commend him for his statement, which is forceful and effective. I want the Members to be impressed by it and not be impressed by a letter from a convict serving in a jail, which was referred to by the gentleman from Pennsylvania.

Mr. CONTE. Mr. Chairman, I thank the gentleman from Illinois.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Chairman, I thank the gentleman for yielding.

In support of the point of the gentleman about the cost in dollars being only minimal—indeed not relevant—I would like to point out the national tragedy is the fact that 269,000 people have been killed with firearms in homicides in the United States since 1900. We ought to worry about the cost to the American people in the terms of their lives.

Mr. CONTE. Mr. Chairman, I spoke about the policeman who is now on the District of Columbia force. He said he goes into the house of a suspect, and if the suspect has a gun and legitimately owns it, there is nothing the policeman can do about it, but if we did have a licensing law and the man did not have a license, then the policeman could confiscate that gun.

Mr. CELLER. Mr. Chairman, I rise to see if we can arrive at a consensus on the time for this amendment. I ask unanimous consent that all debate on this amendment and amendments thereto close in 30 minutes.

Mr. DICKINSON. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

MOTION OFFERED BY MR. CELLER

Mr. CELLER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto conclude in 45 minutes.

The CHAIRMAN. The gentleman from New York moves that all debate on the pending amendment and all amendments thereto close in 45 minutes.

The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Alaska [Mr. POLLOCK].

Mr. POLLOCK. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois [Mr. McCLORY]. This is just another means of trying by Federal legislation to force the States to enact legislation which will meet some kind of Federal standard. I oppose it.

What makes us believe criminals are going to buy guns? Do we have any statistics anywhere that show how many guns were used in crimes which were actually purchased by criminals? I have seen none. Several days ago this body decisively rejected the proposition that all guns should be registered.

Now we are considering registering not the guns but the gun owners. If this needs to be done, it should be done by the States, because the States would be in a better position, I believe, to know what the local problems are and to contemplate the cost and confusion as against the need.

Again, as to an amendment like this, we are harassing the law-abiding citizens by licensing or registering them. This will not reduce crime.

The statement of the State prison inmate read by the gentleman from Pennsylvania should be carefully studied by all the Members in this body deliberating on this bill.

I hope this amendment will be soundly defeated.

Mr. HANSEN of Idaho. Mr. Chairman, will the gentleman yield?

Mr. POLLOCK. I yield to the gentleman from Idaho.

Mr. HANSEN of Idaho. Mr. Chairman, I commend the gentleman from Alaska [Mr. POLLOCK] for an excellent statement, and I add, regarding this amendment, that the Idaho Peace Officers Association is strongly opposed to this sort of legislation.

At the association's 1968 convention, 113 Idaho peace officers signed a petition declaring their opposition to: First, reporting ownership of legally held firearms; second, mandatory registration of legally held firearms; and third, payment of licensing fee for ownership of legally held firearms.

It was stated by the officer circulating the petition that—

> We could get the signatures of nearly every peace officer in Idaho opposing gun legislation if we wanted to, but we feel the names in the petition are representative.

Additionally, Mr. Chairman, the people of Idaho are overwhelmingly opposed to such legislation. My mail on this matter has been very heavy, and those opposing Federal gun legislation outnumber those favoring it by more than 100 to 1.

Implementation of this legislation would be inestimably costly and, at the very least, of dubious value. It would place a serious strain on law-enforcement agencies and honest citizens, but little on criminals.

The amendment should be defeated.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. POLLOCK. I yield to the gentleman from Illinois.

The CHAIRMAN. The time of the gentleman from Alaska has expired.

The Chair recognizes the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I rise in support of this amendment. This is a sensible and a sound amendment.

As has been pointed out by the gentleman from Illinois [Mr. ANDERSON] and by my colleague from Massachusetts [Mr. CONTE], Massachusetts only last week passed a strict gun law. I submit that the people of Massachusetts are entitled to protection, and to the necessary protection under Federal standards.

As the gentleman from Illinois indicated, 87 percent of the firearms used in the crimes committed within the Commonwealth of Massachusetts last year involved firearms which came from without the State.

The law which was passed last week in the Massachusetts Legislature called for identification.

It would appear to me, Mr. Chairman, if we are to have effective gun control legislation, it is necessary that we have licensing. I support wholeheartedly the amendment offered by the gentleman from Illinois [Mr. McCLORY]. It would establish standards for State laws to license gun owners.

Under this amendment, the State would be given 2 years within which to enact such a gun owner licensing law. At the end of the 2 years, a Federal licensing law would go into effect only in those States which elect not to provide their own laws.

Mr. Chairman, this amendment is designed to keep firearms out of the hands of criminals, narcotic addicts, alcoholics, the mentally ill, and other irresponsible or unfit persons. It would impose no limitations on the number or kinds of firearms that a licensed owner may possess.

Chary of gun control regulations, a minority of sportsmen have expressed fears that such regulations may jeopardize their access to firearms. These fears are groundless. All he would have to do is indicate that he is not a convicted criminal, an alcoholic, a mental incompetent, a dope addict, a juvenile, or a fugitive from justice.

Such procedures may be inconvenient for gun owners—perhaps even annoying— but it is a trivial price to pay for a major reduction in this country's rate of slaughter and crime by gun.

Polls have demonstrated that four-fifths of the American people—and two-thirds of gun owners themselves—support new strong firearms control laws. Such controls would significantly reduce this country's annual toll in firearms deaths and injuries—a toll that is steadily moving upward year by year.

Headlines culled from newspapers throughout the United States make clear the extent of this carnage. A few grim examples: a lunatic brandishing a rifle burst into a beauty shop, killing several women in a rain of fire; a psychotically depressed farmer killed his wife and children with a shotgun, then turned the weapon on himself; a 16-year-old boy toying with a revolver he bought through the mails accidentally killed his younger sister.

How many more killings will it take before the Congress recognizes its responsibility to enact strong gun-control legislation?

Such legislation, of course, will not prevent every gun accident and gun crime in the United States—this fact is obvious. But firearms controls would help to prevent the criminal misuse of guns, just as automobile licensing procedures help to prevent highway accidents and traffic violations.

Try to envision the carnage on our highways if everyone were permitted to drive—no matter how young, how old, how incompetent, how infirm, how untutored in the skills of driving.

The carnage that has resulted from the almost wholly unrestricted sale of firearms has already been amply demonstrated. In most States anyone can buy a gun merely by walking to the neighborhood sporting goods store—psychotics, criminals, mental incompetents, drug addicts, juveniles can arm themselves with remarkable ease—no questions asked.

The vast majority of firearms homocides and assaults, are crimes of passion that police officials have traced to mental instability or to quarrels among friends. Such crimes hinge on the ready availability of guns—a rifle snatched off the living room mantel by an alcoholic in a fit of depression or a handgun hurriedly bought in a sporting goods store by a man enraged at his wife.

Strong licensing laws—reinforced by equally strong penalties—would keep these crimes to a minimum. Commonsense alone calls for laws that would prevent the unfit from acquiring lethal weapons. Even professional criminals—those who are themselves through theft or through clandestine underworld sales—would find it significantly more difficult to acquire firearms once strong national gun control laws are enacted.

Painstakingly collected over a period of years, the available statistical evidence on firearms controls demonstrate that they work and work well. The overall murder rate per 100,000 population in States with relatively tough gun-control laws is one-third the rate in States with weak laws or no laws at all. The gun murder rate in States with stringent laws, moreover, is one-sixth the rate in other States.

These rates, it is clear, could be diminished even further by national firearms licensing controls. People unqualified for gun ownership in their resident States can now arm themselves with ease by merely driving across the State border to avoid gun control regulations. Unfortunately, this is true in too many States in this Nation.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Illinois.

Mr. McCLORY. Criminals do purchase a great many guns. Studies that have been made indicate that about 25 percent of the mail-order sales have gone to persons who had criminal records. They are not all stealing guns. They buy them. Unless we require them to have permits, they will continue to buy guns over the counter, by mail order—intrastate—and from other individuals.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I rise in opposition to the amendment, and I yield back the remainder of my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I rise in support of this amendment. It seems to me elementary commonsense that the licensing of the possession of lethal weapons should be required in our society. Every other industrial nation requires permits in connection with the possession of guns. This is a necessary step if their abuse by lawless elements or mental incompetents or juveniles is to be effectively controlled.

It will enable law-enforcement officials to prevent many gun crimes before they occur, by making unlawful the possession of a gun without a license. It will also make easier the control of underworld trafficking in firearms.

Most States require fishermen to have licenses before they can use a rod and reel. If the use of fishing tackle is licensed to protect fish, why should anyone be reluctant to provide the same protection to human beings.

Licensing will not restrict the recreational use of guns any more than licensing has restricted the recreational use of the fishing rod and reel or than licensing has hampered driving automobiles on Sunday.

Licensing may not prevent all violent crimes, but statistics both in the States and in other countries clearly demonstrate that the incidence of murders, assaults with firearms, and gun accidents will be reduced.

I do not see how any law-abiding citizen has anything to fear or any legitimate reason to complain about the licensing of weapons. This is a requirement which every other civilized society imposes. It is long overdue in our country.

The amendment offered by the gentleman from Illinois [Mr. McCLORY] provides for Federal gun licenses where a State fails to adopt an adequate permit system. I question having Federal gun licenses issued by licensed dealers. I prefer the approach in the bill introduced in the Senate by Senator TYDINGS, which I have sponsored in the House—H.R. 17879. Under our bill the Secretary of the Treasury would administer the program—perhaps through local post offices. I believe this would provide uniformity and avoid shopping around for friendly gun dealers. In any event, I hope the amendment will receive overwhelming support.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from Wisconsin [Mr. THOMSON].

Mr. THOMSON of Wisconsin. Mr. Chairman, I have been very diligent in listening here for 3 days to this debate, on this amendment and on one like it last week.

Mr. Chairman, I have not heard one scintilla of evidence that registration or licensing will reach the objective of the prevention of crime. We are interested in stopping these crimes of violence through the use of guns. No one has said licensing will stop a crime of violence with a gun. I even called John Glenn's office to ask him. He is a great proponent of licensing and registration. I asked him if he could produce any evidence to me that the licensing of a gun or an individual will prevent a crime. He said, no, they did not have any evidence of that kind. It is obvious in California where the gun was registered that it did not stop a crime of violence and a great national tragedy. The proponents of licensing legislation should come forth with some evidence that registering the gun or licensing the owner will be effective in the prevention of crime before we impose on the American people this Federal regulation. They have not done so and apparently cannot do so. This proposal should be defeated.

The CHAIRMAN. The gentleman from Minnesota [Mr. FRASER] is recognized.

Mr. FRASER. Mr. Chairman, in response to the remarks of the gentleman from Wisconsin, it seems to me clear from the facts that in those States which do have strong gun control laws the proportion of crimes and homicides in which guns are involved is lower than in those States with weak gun control laws. I am surprised that the gentleman has not had a chance to examine those statistics, but a comparison from State to State demonstrates very forcefully that the strong gun control laws have had an effect.

Mr. Chairman, the other reason why I think we ought to pass this bill is that it will provide an impetus to the States to move in the direction in which many of them are already moving. I cannot

think of anything which is closer to the hearts of the American people than to find a way of ending some of the violence and senseless killing that goes on in this country. It is a mistake to tie this debate to the thought that this occurs only from activities of the organized criminal. We are talking about that but we are also talking of the fact that a large proportion of the gun casualties occur between people who are related to one another.

Guns are too freely available to everyone under existing law. This amendment is clearly drawn and is intended to operate through actions of State legislatures and city councils. I urge that the amendment be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Chairman, I rise in opposition to the amendment, and would associate myself with the remarks of the gentleman from Pennsylvania [Mr. SAYLOR] and the others who have made a strong and sufficient case against it.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I am glad to yield to the gentleman from New Hampshire.

Mr. WYMAN. Mr. Chairman, I rise in opposition to this amendment. The system urged by the gentleman from Massachusetts [Mr. BOLAND] imposing Federal standards on all of the States under the penalty that the States do it or else, is just the sort of thing we do not want. To empower some bureaucrat in Washington to say who shall own or who shall not own or possess a gun in Alaska, in Wisconsin, in Oregon, or in New Hampshire is bad business. Imposing on all of the States the concept of do it the Federal way or else, cannot be justified by the guise of using statistics which are meaningful or meaningless, depending on how they are used. The question of licensing should be left to the several States where there is local control, local familiarity with people who are applicants and, above all, local responsibility. This, of course, is quite aside from the very serious constitutional questions raised by a proposal of Federal licensing. This amendment should be voted down.

Mr. BUCHANAN. Mr. Chairman, to that I would say "amen."

Mr. BURTON of Utah. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Utah.

Mr. BURTON of Utah. Mr. Chairman, I rise in opposition to the amendment.

The passage of gun-control legislation will not lessen crime. It will only restrict the activities of the law-abiding sportsmen. Today's legislation will not cure crime or stop a criminal from obtaining a rifle, if he so chooses.

I consider any gun control to infringe on a citizen's right to bear arms. In Utah, as well as in all the Western States, the tradition of gun ownership and its use is strong.

The No. 1 topic of the people I talk to in my district, is not Vietnam, nor racial riots, nor foreign aid—it is gun control. These are law-abiding citizens, who are sportsmen, who do not want laws which will keep them from ordering a sporting rifle through the mail.

There are many smaller towns in Utah and other Western States without a gun dealer to sell them the kind of rifle they want. These people must not be denied the right to bear arms just because they do not live in a metropolitan area.

One constituent writes that the U.S. Army will not now sell surplus arms to the National Rifle Association members unless they belong to what the Army says is an "elite markmanship club" and have "an established markmanship status." I am not a member of the ARA, but I do think this type of situation is a little ridiculous. How do you become a marksman without a gun? How do you obtain a gun, if you live in one of those small towns, without the use of a mail-order house? Why, this is almost equal to the Russian system, where the few gun owners are either Siberian game hunters who have had their philosophies checked by the Russian police, or are highly trained Olympic-type shooting team members.

Crime in this country is going from bad to worse. It is not a Federal law that will decrease the crime rate—it is tougher laws in our States and local communities.

Our existing State and local laws should be vigorously enforced. Our crime and gun problem would largely come under control if conviction rates were doubled and sentences were more severe. The chief keys to gun control problems are swift apprehension and certain punishment for those who violate the law.

It seems to me that in a nation born of Minutemen, this legislation, which will affect my State, home of pioneer frontiersmen, is particularly inappropriate.

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Illinois.

Mr. RUMSFELD. Mr. Chairman, I thank the gentleman for yielding.

I rise in support of the amendment offered by the gentleman from Illinois [Mr. MCCLORY], and want to commend the gentleman from Illinois for the contribution which he made in bringing this question before the House of Representatives and giving the Members an opportunity to debate it and vote on this important matter.

Mr. BUCHANAN. Mr. Chairman, I urge the defeat of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. CASEY].

Mr. CASEY. Mr. Chairman, this is a country known for its freedoms—individual freedom—but every time we act here we take one of those freedoms away or reduce it to some extent and in addition thereto take some money out of the pockets of the individual citizen.

Mr. Chairman, this amendment which is pending before us right now is one of the most basic examples in both categories about which I know.

Mr. Chairman, freedom in countries such as ours carries with it certain hazards. You cannot possibly make this country so safe that you are not going to have a criminal element, you are not going to have someone get angry. So why punish all the people by this proposed restriction of proving their mental competency, fingerprinting, or what have you in order to possess a firearm?

Second, you are talking about a dollar fee. New York City started out with a fee of 50 cents, then it rose to a fee of $2 and now it is up to $20. The mayor of New York City now wants to raise it to $50. Let us not put that camel's nose under the tent to the extent that he will get his whole hump and tail under the tent and thus create an additional burden for the American people. I urge defeat of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Chairman, as I understand this amendment it would have the practical effect of requiring a nationwide system of licensing of all firearms owners.

As best as I can evaluate the sentiment which exists in the congressional district which I represent it is definitely against this sort of arrangement, and I oppose the amendment.

Mr. MCCLORY. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Illinois.

Mr. MCCLORY. This is not an amendment to register firearms. This is the amendment to require a gun owner to be licensed by the States.

Mr. FINDLEY. That is my understanding, but in the area from which I come the sentiment is contrary to the provisions of this amendment.

Mr. MCCLORY. This amendment would require the licensing of gun owners. It is quite different from a requirement for the registration of hand guns or other firearms. In other words, a gun owner can own up to 100 guns or as many guns as he wants if he meets these requirements as a licensed gun owner.

Mr. FINDLEY. I assure the gentleman from Illinois, my good friend, that my constituency does not favor this Federal approach.

Mr. MCCLORY. I can say to the gentleman from Illinois [Mr. FINDLEY] that we already have in Illinois the kind of law which this amendment seeks to have enacted in all 50 States.

Mr. FINDLEY. I would say to the gentleman that many of my constituents do not think that the Illinois law is a workable and practical arrangement, but regardless, the majority I have heard from do not favor Federal licensing requirements.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. FINDLEY] has expired.

The Chair recognizes the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Chairman, I find it hard to believe that a proposition as simple as the one now pending before us today should be receiving such hostile treatment from some of the Members.

Mr. Chairman, as I heard some of the statements about our freedoms being endangered by this amendment, I was reminded of an old gentleman who used to drive an electric car in my hometown of New Haven back in the early twenties. He was noted for the fact that he re-

fused to stop at the traffic lights when they were installed, because he said it was a basic infringement upon his freedom for him not to be permitted to proceed through an intersection when he chose.

Mr. Chairman, we have heard the claim that licensing will not stop crimes with firearms. This seems to me like saying that we should not have the licensing of automobile drivers because that will not prevent all automobile accidents; that we should concentrate, instead, on punishing those who get into accidents and who kill other people on the highways.

Finally, Mr. Chairman, I am shocked to hear the arguments made that the cost of a licensing system would be too great.

I wonder how much the American people would have been glad to pay if they could have prevented the assassination of the late Senator Robert F. Kennedy.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from Alabama [Mr. EDWARDS].

Mr. EDWARDS of Alabama. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, what is the purpose of licensing gun owners? This proposal continues to avoid the central question; namely, How do we stop the criminal? You do not stop him by penalizing the good, law-abiding citizens of this country. You enforce the laws already on the books and you pass new laws aimed at the criminal. What criminal will worry about a license? Why should he?

One police officer has told me that if all guns are removed from his town, a criminal could still get a machinegun in 30 minutes.

Licensing and registration, which will impose Federal standards on all States and legitimate gun owners in those States, is completely contrary to the Constitution of these United States and I am opposed to it.

Mr. Chairman, I urge the defeat of this unreasonable, unnecessary, and improper amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I have in my hand one of the best commentaries on this legislation that one could find; it is by Mauldin and is in the nature of a cartoon. It shows a pajama-clad individual in his own home holding a shotgun in the middle of the night while a burglar is picking up the house occupant's silverware and other articles of value.

The burglar calmly looks at the individual and says "Buddy, if that gun ain't registered, you are in worse trouble than I am."

Now, Mr. Chairman, let us look at firearms registration laws. They have never worked, and no one who is pushing this bill can cite a single statistic that can show that it will in any way, fashion, or form prevent crime.

The legislation before us is entitled the "State Firearms Control Assistance Act of 1968," yet we are faced now with an amendment very broad in scope, embodying many pages, raising grave questions of the constitutional power of the Federal Government to legislate on items which are at rest, and which are no longer in interstate commerce.

It is interesting to note that many of the State legislatures have sent us petitions urging us not to enact such kinds of legislation.

No consideration, no study whatsoever, has been given to this amendment by the Committee on the Judiciary. We have no way of knowing whether it is constitutional. We have no way at all of understanding what it is going to do, and what the effects may be of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. TEAGUE].

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of California. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I thank the gentleman for yielding, because what I want to point out is that a great many firearms that are sold in legitimate ways reach the hands of the criminal. According to studies that have been made by the Department of Public Safety of the State of Massachusetts, 87 percent of the guns which were found in Massachusetts in the hands of criminals were purchased legitimately outside the State of Massachusetts.

And with regard to the subject of mail orders, Chief Layton of the District of Columbia Police Department reported to a subcommittee of the other body that 25 percent of the guns purchased by mail order in the District of Columbia were purchased by criminals.

So it is not a question of the criminal who is going out to steal a gun. He may continue to get it in that way. But, also, he is going to get it through legitimate sources unless we require that an individual purchasing or possessing a gun must have a permit or license.

So what we are doing here is to encourage all of the States to follow the pattern set in some of the States. By this amendment we can prevent the criminals and other unfit persons from getting guns in their hands through legitimate sources, and require that every person who is in possession of a gun to have a permit.

The gun associations say that they favor this type of legislation, but what they say they favor and what they favor are two different things, it seems to me. Now, since they say they favor this type of legislation, let us provide it for them.

The CHAIRMAN. The time of the glentleman has expired.

The Chair recognizes the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL of Massachusetts. Mr. Chairman, I rise in support of H.R. 17735, and amendments offered by the gentleman from Illinois.

I am sure most of my colleagues know my position on gun control. Since 1963 I have sponsored legislation to restrict the interstate commerce in firearms. I have also sponsored legislation calling for the registration of all firearms and the licensing of the owners of firearms.

I feel impelled to speak on this subject because it is so important, yet I am somewhat amazed that there is need for such volume of debate. Infrequently do the facts and the situation point so clearly to the necessary course of action.

The excuses being given to oppose this legislation seem not only weak to me, they seem contrived. We are not legislating in haste, without forethought. We are not facing a situation that has developed only in the very recent past.

The honorable senior Senator from Connecticut has been fighting for regulations on firearms for a decade. Editorial comment following Lincoln's assassination was as strong as news comment is today in favor of gun controls. It is true that the need seems more real as we see more and more of our truly great men lost to our society because of the ease with which guns are obtained. But every night in our Nation, our youth and adults, our rich and poor, the famous and the unknown, are being cut down, because the Congress seems not to have seen the danger of firearms.

The examples are too numerous and too tragic to recount. But what can be said when a 9-year-old child is shot to death for throwing paper in a neighbor's yard. A gun was handy and a child is dead. Some boys get into an argument—an argument that does not result in a black eye or a scraped shin. This argument never even developed into a fight, for within minutes two of them were dead because someone had a gun.

A fugitive from the law, a convicted criminal, walks into a store and buys a rifle and ammunition, and more and more people are killed before he is finally captured.

Who is there to argue that there is no need to regulate the easy acquisition of firearms? Who would dare deny that the 7,700 homicides by firearms last year could have been fewer if guns were registered and owners licensed?

The statistics, the examples, the facts, all call for strict gun laws. The people of the country want this legislation and they want it badly. I have received at least 5,000 communications, in various forms, urging, demanding, pleading for strong gun laws.

My own State, the Commonwealth of Massachusetts, has taken action in the face of the inaction of the Congress. Both houses of the legislature passed strong laws requiring identification cards and police clearance for possession, purchase, or carrying of guns.

The need is there and apparent; the solution is here and we must act now. I urge my colleagues to vote for this bill and the strengthening amendments—it is our duty.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. O'NEILL of Massachusetts. I yield to my colleague from Massachusetts.

Mr. BOLAND. Mr. Chairman, would my colleague from Massachusetts say that the failure to adopt the amendment that was offered by the gentleman from Illinois would seriously impair the effectiveness of this bill? Does not the amendment add strength to a bill that is now too weak and far less effective than the Massachusetts law.

Mr. O'NEILL of Massachusetts. Of

course, the statement made by the gentleman from Massachusetts is correct.

Mr. WYMAN. If the gentleman will yield, as a Representative from a State that borders Massachusetts in which a great many of the guns to which the gentleman made reference were probably purchased, does not the gentleman agree that the Commonwealth of Massachusetts is in a better position to license and provide for the issuing of permits for the possession of guns, as distinguished from the Federal Government?

Mr. O'NEILL of Massachusetts. No, I do not agree with the gentleman, because, as the gentleman from Illinois [Mr. McCLORY] said, most of the imports of guns have come from the State of New Hampshire, and I believe it is wrong.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. POFF].

Mr. POFF. Mr. Chairman, in his letter dated July 23, addressed to colleagues, the gentleman from Illinois [Mr. McCLORY] has made an error. It is, I know, accidental and not purposeful, yet I believe it needs to be corrected. In that letter in support of the pending amendment the gentleman said that there is nothing in this legislation which would create a prohibition against an individual, be he a criminal, narcotic addict, alcoholic, or juvenile, selling or purchasing any kind of firearm.

I call to your attention, Mr. Chairman, the language in section 922(b) of the bill which prohibits the sale in both interstate and intrastate commerce of long guns to those under the age of 18 and handguns to those under the age of 21.

Section 922(c) prohibits the sale by a licensed dealer to individuals in categories set forth in subsections 1, 2, 3, and 4, including fugitives from justice and those under indictment, narcotic addicts, and mental defectives.

That applies not only to interstate sales, as might be expected, but to sales in both intra and interstate commerce.

Subsection (f) and (g) of section 922 make it plain that an individual in one of these categories is not eligible to ship or to receive such guns in interstate commerce.

The CHAIRMAN. The Chair recognizes the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Chairman, I rise in support of the pending amendment which will provide licensing provisions in this gun control bill.

I think one has to regard this particular amendment as simply a public safety measure. I am sure that every Member of this House is aware of the nearly 20,000 lives that are lost in this country as a result of firearms.

Some 11,000 lives are lost as a result of suicides committed with firearms.

It is the protection of these innocent individuals in our society that requires us to support this amendment to provide that kind of safety that I believe the people of this country are entitled to have.

Certainly, we have no objections to other restrictions in our individual freedoms in order to assure the safety of others in our society. All that this amendment proposes to do is to make sure that convicted felons, mental incompetents, dope addicts, and other misfits in our society are not able to purchase a gun.

Mr. Chairman, the United States for the past 5 years has been the helpless spectator to four acts of violence which have left a deep scar on America's hope for the future. Martin Luther King, Jr., Medgar Evers, John F. Kennedy, and Robert F. Kennedy were all slain presumably because of principles they advocated.

Their loss, of course, is irreparable. The many others who die each year in our our cities and in our rural areas as a result of violence are also constant testimony to the need for us to reconcile our laws with these tragic realities. The future of our Nation is threatened, and it is time to consider the kind of society we are building.

We are painfully aware of a crisis in America, what one might term a crisis of unrest that is manifesting itself in violence. Time is therefore of the essence and wisdom requires that we act quickly. One of the most obvious areas demanded by public safety is the regulation of the ownership of firearms.

The most urgent requirement of any effective gun control law is that it must provide for ways of keeping guns away from irresponsible people such as mental incompetents, convicted felons, alcoholics, narcotic addicts, and children. A gun law that provides for such licensing is absolutely necessary. Further, for effective law enforcement, registration is an essential adjunct and such a small detail which each citizen can do to help in this massive task of overseeing the transfer of guns from person to person and from store to person. The registration I propose would be only at the instance of purchase and upon each transfer of ownership therefore. The fee would be a nominal sum of $1. Hawaii already has such a law in effect. A ban on all mail-order sales is also necessary to help control the sale of firearms and to make sure that the licensing and registration laws were not being circumvented.

In the ongoing debate on gun control legislation, certain opponents of strong gun laws are arguing that strong gun legislation is a threat to individual freedom and is contrary to our basic traditions.

Perhaps the sharpest reality that confronts us today is that we are no longer a frontier society. We are essentially an urban society living at close quarters with many pressing needs demanding our solution.

We need to work together; freedom as Jefferson and others saw it was not simply an expression of inspired spirit but of a disciplined one. And as the Greeks knew in their day, freedom derives its strength and substance not only from a wide latitude of action but from an essential imposition of limits. This basic principle of organized society requires that each citizen forfeit some personal freedom to insure more fully the collective freedom of the people. Guns were an essential part of the settling and expansion of this country and provided the means for many a citizen's survival, but those days have gone and today the problems are not hunting and foodgathering but the ability to live with one another. The unlimited, unregulated use of guns in today's society is an anachronism to that aim.

Mr. Chairman, my support of gun control legislation was established long before the cruel assassination of Senator Robert Kennedy. My views today are not based upon any reaction or hysteria caused by his death. They are those of a calm and reasoned citizen interested in saving innocent lives and helping in the enforcement of law and order.

In 1967 there were 7,700 persons killed by firearms: 55,000 persons were victims of aggravated assaults by means of firearms; 71,000 armed robberies were committed by means of firearms. Surely no one can doubt that the licensing and regulating of the ownership of firearms would have the effect of reducing the numbers of these crimes.

For those who will not be persuaded that gun control legislation will have any effect upon the number of crimes committed with guns, let me say that certainly they will be persuaded that the number of suicides would be reduced if guns were not so readily accessible. Think of it, in 1967, 11,000 persons took their own lives with firearms in the United States. Some of these could have been prevented and lives saved, if instant purchase of a gun were not possible.

If even the suicide by firearms rate does not convince our opponents, surely the statistics on accidental deaths by firearms will persuade them on the rightness of this legislation. Each year in America, 2,800 lives are snuffed out by accidents involving misuse of firearms.

I believe that enough evidence has been provided this Nation and that it is imperative that we act consistent with the demands of public safety and for the purpose of saving the innocent lives of so many thousands of our citizens whose means of protection are at our command.

I shall vote for this gun control bill and for all amendments to strengthen it by providing for licensing, registration, and for a total ban on all mail order sales, and urge that my colleagues in this House do the same.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Mr. Chairman, we have before us a bill to control the sale of firearms in an effort to cut down on crime. At least that is what the proponents would have us believe. The truth is that if you look behind the facade of arguments put forth by the proponents and read what is obviously between the lines, the obvious aim and intent is to control all guns in the United States.

First, the gentleman from Illinois wanted to require everyone to register all firearms. The gentleman knows I am strongly opposed to this. Now, he attempts to require licensing of everyone before they can legally own a gun. It is just another attempt to do the same thing.

The proponents point to the fear of the people for their life and safety. This might well be so, since we have had a serious breakdown in law enforcement and punishment of crime. However, Mr.

Chairman, the biggest fear by far is the fear, the man in the street, the man I call the "forgotten man," has of the Federal Government. Whether it be true or not, the average citizen from my neck of the woods, and I believe all over the United States, equates registration with confiscation.

If the Johnson administration really wants to do something about crime, other than just lip service, let the President call on the Attorney General for vigorous, effective law enforcement. Never have I seen nor heard when the President has done this. All this administration does to meet a crisis is to either call for passage of some new law or to appoint a new study commission.

This gun control bill is not aimed at the crooks and criminals. It is aimed at the good law-abiding citizens. Criminals are not going to register any guns or buy any licenses.

No one is opposed to reasonable control to keep criminals, addicts, mental incompetents, and children from buying guns. But the record of this administration and the history of our Government in recent years makes most of us distrust those presently in power and reluctant to give them any more.

Let us enforce the laws we have on the books now. If that is done, I do not believe we will need this gun control law.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman, the gentleman from Alaska said that criminals do not buy guns—they steal them.

The most publicized and notorious crime in this century was the murder of President Kennedy. My understanding is that the assassin in that tragic crime bought his gun through the mail.

Mr. Chairman, this amendment is not going to solve the problem entirely. But why should we make it easy for the wrong people to get guns for the wrong purposes?

I dispute the gentleman from Texas who said that gun control would deprive people of their freedom. I do not think that one human being has the freedom to slaughter another human being. That is not a basic freedom so far as I am concerned.

I have heard the gentleman from Pennsylvania tell us that a hardened convict was opposed to this bill. That is as surprising to me as to say that a cat would be against a mouse—of course, he would be opposed to this bill.

Mr. REID of New York. Mr. Chairman, I rise in support of the amendment. I should like to ask the Members of the House one simple question: How much carnage do we want in the United States before this body acts? The comparative statistics on the rate of homicides, suicides, and accidents in the United States and in other major countries which do have strong gun laws indicate that the rate of deaths caused by firearms is much higher in the United States than in any of those other countries. The rate of homicide with guns in the United States is seven times as high as that in Italy and 35 times as high as that in England; the suicide rate in the United States is 53 times that of Japan or the Netherlands.

I believe we would make a mistake if we thought the bill we are considering here today is adequate. It is not adequate. It is not a comprehensive bill. It will not meet the job. It will only start to do it if we have licensing, we should have included registration.

There is no question but that the top law enforcement officers in the United States think it will help, that it will prevent new acquisitions by ex-convicts and the mentally sick, that it will preclude to some extent the commission of crimes with firearms. It is a partial remedy. It has worked in other countries. Statistics prove it. I believe our responsibility is clear. The popular mandate is plain. It is imperative that we pass a comprehensive bill, and I urge the adoption of this licensing amendment. Our duty is clear and it will be with us until we enact strong legislation.

Mr. DOWDY. Mr. Chairman, I am opposed to the amendment. I have heard statements here to the effect that the reason we should have a licensing law for gun owners is that marriage licenses are required, drivers' licenses, fishing licenses, and hunting licenses are required. I have a driver's license. It was not issued to me by the Federal Government. It was issued under the laws of my State. That is the only authority. We do not have constitutional authority to legislate for the States. That is where the licensing laws, as far as guns are concerned, should be, just as is the case for drivers' licenses, marriage licenses and hunting licenses.

I got a license to get married, but I did not have to do so in Texas. It is the law in some States that you do not have to have a marriage license; you are just as married if you do not have a license as if you did have a license to marry under the State law.

This Congress has no authority to require marriage licenses in States if they do not want such a law. But in Congress we do have authority to require one State to recognize the legal marriage of people who come from another State. That is all the authority we have in Congress in relation to legislating on the licensing of gun owners. We can require that guns be kept from coming into a State contrary to the laws of that State, but we are invading the reserved powers of the States when we attempt to dictate to a State legislature the kind and form of law it should enact.

Mr. ANDERSON of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise to reaffirm my support for the amendment offered by the gentleman from Illinois [Mr. McCLORY].

A few minutes ago my friend, the gentleman from Michigan, said:

> These firearms laws would not work. They never have and never will.

As I listened to him I could not help but feel glad that he was not around about 3,000 years ago when Moses was up there on Mount Sinai with thunder and lightening around his head, because if he had been he would probably have said, "Moses, do not bother to lug those big, heavy tablets of stone with the Ten Commandments down the mountainside. The people will still cheat, kill, commit adultery, and do all those things. It will not do any good."

It seems to me that with 10,000 guns passing daily into private hands, the time has come for this Congress to try, not to take away freedom, as the gentleman from Texas described it, but rather to extend freedom to the lawful owner—the sportsman, the hunter—to make sure that he may continue to enjoy the right of private ownership.

I do not believe a mental defective, a juvenile, or a convicted felon has any freedom to go out and buy a gun. I do not see any reason why he should have. This bill will not punish, however, the legitimate owner and possessor of firearms.

Somebody said:

> Show us; prove it will end the crime we have in the country.

Obviously no one can do that. But maybe by reducing the accessibility of weapons to the wrong types of people, we can contribute a little bit.

Mr. Chairman. I support the gentleman from Illinois' amendment because it does not set up a vast bureaucracy to administer a Federal program of licensing every gun owner. It gives the other States of the Union the incentive to adopt their own laws to deal with the problem of possession of firearms by such categories of unfit persons as felons, narcotics addicts, mental defectives, and so forth. As we pointed out previously in debate, it will protect citizens of a State like Illinois who have the initiative of adopting firearms legislation from having their laws circumvented because adjoining States have been negligent and failed to take similar action. Ours is an urbanized, highly mobile society. We simply must encourage all of the States to follow the lead of jurisdictions like Illinois, Massachusetts, and New Jersey and enact meaningful legislation in the interest of protecting the general public against the indiscriminate sale of guns either by mail or over the counter to the unfit categories of individuals mentioned above.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. ADAMS].

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from New York.

Mr. ROSENTHAL. Mr. Chairman, I rise in support of this amendment because I believe it gets to the heart of the gun control problem.

I think we need to give all the help we can to our law enforcement officials through provisions such as registration. But more important is to screen out the incompetent, the insane, and otherwise unqualified would-be gun owners, before they get a chance to misuse a weapon.

We must make at least some attempt at keeping guns from the hands of undesirables. The 7,700 murders, 11,000 suicides, and 55,000 assaults in the United States last year demand this.

This amendment would eventually make it illegal to possess a firearm without a State permit or a Federal gun license. It also would be illegal to sell or transfer firearms or ammunition unless the purchaser has a permit or Federal

license. States are encouraged to develop their own systems of licensing.

I know of no one in Congress who wants to take firearms from those with legitimate claims to own them. Specifically, no one in Congress wants to take weapons from sportsmen and hunters.

There is no doubt in my mind that these provisions would be effective. The Attorney General has testified that the safety of our people demands strict gun controls. J. Edgar Hoover has stated:

The easy accessibility of firearms is a significant factor in murders committed in the United States today.

Law-enforcement officials across the Nation have demanded strict firearms regulation. These levelheaded men are not responding only to emotional pleas. They are deeply concerned with the alarming increase in violent deaths each and every year. They realize the potential of such legislation to save lives and prevent injuries.

In countries with strict firearms laws, the death rate by gun is dramatically less than the U.S. rate. The comparable U.S. death rate by guns in 1966 was seven times greater than the Canadian rate and 35 times the rate in Great Britain.

A study sponsored by two leading manufacturers of firearms reported:

The United States is far and away the number one leader in the world in both the absolute number and the rate of homicides, suicides, and accidents by firearms.

This kind of "leadership" should not come from the United States. It is time we did something about it.

Mr. ADAMS. Mr. Chairman, I rise in support of this amendment to use a combination of State and Federal regulation.

This approach is similar to that suggested originally by Senator TYDINGS and me with regard to State registration and the Federal Government would then control the interstate movement so the system would be workable. I think this State licensing of individuals is a good suggestion. For example, in States where there are many sportsmen, such as in my State, the State can easily implement this licensing by simply requiring that when a man goes to get his hunting license, he can add at the bottom that he is applying for a license to own a gun.

This gun control legislation is part of an overall attack on crime, as the gentleman from Massachusetts said earlier. How far does violence and death have to grow before we act? In the cities the crunch is going to occur soon. At some point the people will impress the Congress with the problems of the city. They will say "You have to have a method of controlling the escalation of violence in the central city." How can we control that escalation of violence if we cannot go to the armed people on the streets and say "Let me see your license so we can control the illegal and irresponsible especially if there is a gun battle at 4 o'clock in the morning?" I say to those who oppose all responsible gun controls that we will then have what they fear; namely, a confiscation of all weapons to stop the slaughter.

I hope this reasonable attempt to control the flow of weapons into dangerous hands will pass.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. MCCULLOCH].

Mr. MCCULLOCH. Mr. Chairman, I repeat what I said on Wednesday and what I said earlier today. In the first place, and of first importance, the constitutionality of this amendment has not been formally considered by the Committee on the Judiciary. I am of the opinion that the amendment is of doubtful constitutionality.

Furthermore, I repeat, the estimated cost by responsible people of administering this amendment is set at from $50 million to $1 billion. That fact alone is evidence enough that neither the House nor the Judiciary Committee thereof has carefully studied this amendment.

I listened with some amusement to the analogy between States' licensing individuals for various purposes and licensing of gun owners. Of course States have that authority, and they have exercised it for years. It is their duty to exercise it now. I think Massachusetts set a good example. Exercise of such police power is the proper function of the State.

I should like to say to the Members of the committee that if the States move and accept their responsibilities, the need for this Federal legislation and this amendment will no longer exist. I hope the amendment is defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. MOORHEAD].

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Chairman, I rise in support of the amendment.

I want to take this opportunity to support the McClory amendment relating to licensing.

This amendment would protect the general public, in some measure, by preventing criminals and mentally incompetent persons from owning firearms. It is a step in the right direction.

Mr. MOORHEAD. Mr. Chairman, I rise in support of the McClory licensing amendment to H.R. 17735, the State Firearms Control Assistance Act of 1968.

Mr. Chairman, I have long believed that this country should have effective gun control legislation.

During my first term in Congress in February of 1960, I joined with the late Senator Hennings, of Missouri, in introducing gun control legislation in the 86th Congress.

This was the first gun control legislation that had been introduced in Congress in over 20 years and can be considered an ancestor of the legislation already passed in this session of Congress and the pending legislation.

Thus, it has taken 8 years for any gun control legislation to become the law of the land.

On last Friday, I supported the registration amendment offered by the gentleman from Illinois [Mr. MCCLORY], but that amendment was defeated by a vote of 168 to 89.

There are many reasons why those who opposed registration of guns could and should support licensing of the individuals who want to possess them.

First, the amendment contemplates Federal licensing only in those States which after 2 years have failed to adopt a licensing law. Therefore, the Federal Government would not interfere with the rights of States and traditional States rights would be preserved.

Second, the fear of confiscation expressed by many Members of Congress during the debate on this legislation last week would be removed because there would be only one license per individual no matter how many guns or rifles he might possess.

Third, the convenience of the sportsman would be recognized, because the licensing would be hardly more onerous than obtaining a hunting license.

Mr. Chairman, I urge that the amendment be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. LATTA].

Mr. LATTA. Mr. Chairman, information passed to us in the Rules Committee when this bill was up for consideration was that there were no hearings before the Judiciary Committee on the questions of registration and licensing of firearms.

I think this is a very serious matter to be considered by this House. If we are going to start passing legislation in this Congress without any hearings at all by the legislative committees, and particularly such all-encompassing legislation as the legislation under consideration, this country is in grave danger.

If we are going to pass legislation without hearings and merely upon the recommendation of the administration, we have gone a long way toward surrendering our legislative responsibilities to the executive branch.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I rise in unqualified support of the amendment offered by the gentleman from Illinois [Mr. MCCLORY]. I commend the gentleman for his diligent and painstaking work in this field, which has produced an amendment that provides for adequate licensing procedures at minimal inconvenience to the gun owner. Furthermore, this amendment has the added feature of providing the individual States with a 2-year period in which to enact their own statutes before any Federal legislation would take effect, and, at that time the Federal act would be applicable only to those States which had not enacted their own laws. Therefore, we have a proposal which provides for a minimum of Federal activity in this area, but assures effective licensing of all persons to qualify for firearms use.

This amendment contains restrictions that most gun owners—even many who oppose most firearms control legislation—should find desirable. I refer to the provisions to keep guns out of the hands

of criminals, narcotic addicts, alcoholics, the mentally ill, and other irresponsible or unfit persons. Even the leadership of the National Rifle Association would find itself hard-pressed to object to this principle. How anyone could oppose this amendment is beyond me.

The proposed licensing procedures have been drawn up with a view toward presenting the prospective licensee with a minimum amount of redtape. Its simple documentation requirements present no obstacles to any legitimate applicant, and it is significant to note that the license will be valid for a 3-year period. There certainly cannot be any complaint about the cost, for the amendment specifies that the one-time fee for the 3-year period shall be $1.

I once again commend the gentleman from Illinois [Mr. McCLORY] for his presentation of this amendment which will provide a substantial measure of protection for our law-abiding citizens and at the same time will in no way restrict the possession or use of firearms for sport, recreation, or personal protection.

Mr. Chairman, I repeat what I said at the time earlier amendments to this bill were offered by the gentleman from Illinois [Mr. McCLORY] and the gentleman from New York [Mr. BINGHAM], because it has been repeated on this floor that the House should not pass such amendments in the mood of mass hysteria. I take exception to these charges. This is not a question of acting on legislation under the atmosphere of hysteria. There is a big difference between emotional hysteria and the righteous indignation of a long-suffering public aroused by a blatant inequity in our laws and the reluctance of Congress, until recently, to do something about it.

The public is aroused, too, by the power of a well-organized, well-financed lobby, which has for entirely too long thwarted its will. The problem has been here for a long time, and the need to remedy it is long overdue. There is nothing the least bit hysterical about that. If ever there was responsible, well-thought-out legislation, it is the McClory amendment which will bring workable, effective, and meaningful licensing of all firearms owners. I trust it will be adopted today.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from New York [Mr. McCARTHY].

Mr. McCARTHY. Mr. Chairman, 10 years ago this month Oron Daniel Richards walked into a police station in Alexandria, Ohio, and threatened to shoot the first policeman he saw. He was diagnosed as a psychotic schizophrenic. Later he walked into a gun store in Ohio and purchased a .45-caliber automatic. This was perfectly legal. Earlier this month he got on a Delta airplane flight and hijacked it, harassing 47 passengers, including Senator EASTLAND.

The gentleman from Ohio makes a lot of the point about the cost of this. The Justice Department has advised me that murders in this country cost the private sector last year $580 million. If this were to cut murders by only 8 percent it would pay for itself.

I believe we ought to face up to the challenge and give this country a strong and effective gun law that will keep them out of the hands of people like Oron Daniel Richards.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, let me state very briefly that I do not feel this legislation is required or indicated at this time. The States can take care of the licensing provisions as they see fit.

This is being done in a number of States. There is no rhyme or reason for the Federal bureaucracy to move into the field with unforeseen results and at a great cost in personnel.

Mr. Chairman, I trust that the amendment will be defeated. Let me say again, we covered much of this ground on Friday. The proposal for licensing is in the same boat as the proposal for registration. It establishes an entirely new spectrum of bureaucracy with untold thousands of eager new bureaucrats ambitious for power and busily engaged in empire building. We will be setting in motion additional and unnecessary costs of Government at a time when we are under a mandate voted by ourselves to reduce costs of Government. We would be creating new powers which are not clearly spelled out and subject to abuse. We do not know that the vague and ambiguous powers provided in this proposal would be misused but neither do we know they would not be. There is no justification to take the chance.

In his message to Congress calling for gun registration, the President spoke of dog tags, car tags, drivers' licenses, hunting and fishing licenses. This is a strange parallel to use for a requirement for a gun license for none of the items referred to are required on a national basis. All of them are city or State requirements. Some of us here have sought to strengthen State laws on gun crimes. This is a logical approach. If the gentleman wants to require licensing for weapons ownership in Chicago, that is his business. I do not want it done to the people of my district nor do they want it done to them. The Washington City Council has just adopted a strict gun law on top of already strict gun laws—heaven knows they need to do something—but I do not think it is gun laws that are needed in Washington.

What is needed is the enforcement of laws which are now on the books.

There are many who express the pious hope that compulsory registration and licensing of firearms is the answer to crime and violence. Who is going to require the criminal to register his gun or get a license to own it and rob or kill no more? Even if you deprive him of a gun, how are you going to prevent him from using other means to commit crime? What will actually happen is that the decent law-abiding citizen will buy a license and pay for the right to own a weapon. Whether or not he gets a license then will depend upon the bureaucrat who is in charge of the program. If applicant gets a license he will pay a higher fee next year to keep it, and each following year a higher fee yet. The ultimate effect will be that the criminal element will keep its weapons and pay no fees but the law-abiding citizen can be disarmed and at the mercy of any hoodlum in the country.

If the motive is to curb crime, why enact a law that will not do the job and cannot be enforced? Prohibition did not work, and there is no need to reinstate the evils which resulted from it.

Now I know that no Member of the House would willingly give aid and comfort to the Communists, and yet a strong gun law has been one of the major weapons of communism for years. Historically, tyrannies have recognized the necessity to deprive citizens of their weapons in order to weaken and control them. Please do not discount the fact that the hasty, unnecessary, and dangerous step now proposed can lead to the curtailment and even elimination of one more individual right and freedom which has been guaranteed for excellent cause by the Constitution of the United States. This constitutional right is backed by additional guarantees of the right to own weapons in 35 State constitutions. Do not try to set it aside by the hasty and ill-considered proposal.

Mr. BRASCO. Mr. Chairman, while I support the firearms bill presently under consideration, I do so with less than total enuthusiasm. Although the enactment of this legislation will represent a step in the right direction, I must frankly say I feel that a much more comprehensive piece of legislation is needed.

In addition to the prohibition of mail-order sales of rifles, shotguns, and handguns, the American public is entitled to the protection afforded by the registration of all firearms, and the licensing of all gun owners. Further I strongly favor legislation to require the test firing of all weapons sold, and the recording of the test bullet, the serial number of the weapon, test fired, registration with the Federal Bureau of Investigation. In the event a weapon is used in the commission of a crime, and the bullet is recovered, it could then be matched with the ballistic records on hand, and the owner of the weapon identified, notwithstanding the possibility that the weapon itself might not be recovered.

In my opinion. we must address ourselves to legislation designed for more than token action. We desperately need a bill which will have genuine meaning in our efforts to prevent firearms from falling into the hands of those who would seek to use them with criminal intent, and to expedite and assist the efforts of the police force and the law enforcement agencies to apprehend law violators.

Frankly speaking, Mr. Chairman, our ultimate goal—that of protecting the public from the criminal element, the mentally ill, and others who use weapons contrary to the public interest—will be achieved only if we act now for the passage of legislation comprehensive enough to include the aforementioned provisions.

Mr. PODELL. Mr. Chairman, on July

3, 1968, in Central Park, New York City, a young lady was killed by gunfire.

On July 11, 1968, three people were killed in the Bronx by fire from an automatic rifle. On Saturday, July 13, in Manhattan, a hospital kitchen helper, after a quarrel, went home and returned to the hospital with a loaded rifle and a bandolier across his chest with additional ammunition.

On that same day another gunman was captured by police in Bloomingdales Department Store. On July 15 a young bride of 3 weeks, 23 years of age, was the victim of death by riflefire.

How long are we to wait, how long are we to shake our heads in sorrow before something is done? Are we to wait until another President of the United States is assassinated or another U.S. Senator, or another Nobel Laureate or are we to demonstrate, here today, before the eyes of the world that this Congress is prepared to do something constructive. Not merely "get by" legislation as is before us. But a real effective licensing provision.

Let me remind you of some of the gruesome statistics. In 1967, 7,700 murders were committed with guns in the United States; an increase of 1,200 over the prior year. In 1967, 55,000 aggravated assaults with guns were committed in the United States; an increase of 12,000 over the prior year.

According to Coroner Andrew J. Toman of Cook County, Ill., more persons died from guns in Chicago in 1967 than died in automobile accidents. He stated that 607 firearms death were reported as compared to 591 traffic fatalities.

Opponents argue that it is a basic right for every American to bear arms. Can you just imagine how fortunate the wealthy would be, for in their garages next to their pleasure car would be found nothing less than a Sherman tank. After all, if we have the right to bear arms, then by golly, let us do it.

Gun legislation will not stop crime, but it will seriously cut back the amount of crime. It takes a lot more guts to kill a man with a knife or a stick than it does to stand a hundred yards away and merely pull a trigger.

Opponents talk about stolen guns, what good is licensing. The statistics revealed in 1965 by the commissioner of the Massachusetts Department of Public Safety that only 6 guns out of 4,500 that were recovered from criminals in that State during the previous 8 years had been stolen and that almost 87 percent of the weapons were purchased not in Massachusetts, which enforces strict gun-control laws, but in other New England States which have more lenient regulations. The interesting parallel which my colleagues should take note of is that in 1965 Attorney General Katzenbach reported that in Dallas, Tex., and in Phoenix, Ariz., where firearms regulations are virtually nonexistent, the percentage of homicides committed by guns averaged 70 percent by contrast—note the percentages—in cities that have effective gun-control laws, such as Chicago, 46 percent; Los Angeles, 43 percent; and in New York City, 25 percent.

The National Rifle Association states that guns do not kill people, people kill people. This is true. Cars do not kill people, but people that drive cars can kill people.

Would you let your 17-year-old son drive a car unless he was qualified to do so? Or moreover, would you want my son to drive a car unless you felt he was qualified to do so? All we ask is that those individuals who wish to bear arms be qualified to do so and what simpler test of qualification could we use than something similar to that same test that you would require my 17-year-old son to pass if he were to drive a car.

The American people will not be satisfied with the instant legislation. We, the Members of Congress, will be accused of a sellout because while this legislation is laudable as far as it goes, it just does not solve the problem.

This Congress dare not adjourn until the demands of the people have been met.

If I may paraphrase an outstanding American patriot:

> I know not what course others may take, but I shall continue to fight it out and speak on this floor as long as it takes to get decent gun legislation approved by the Congress. Pass this amendment and we can go home with our heads held high. Fail to pass this amendment and we have no right to go home.

Just today, from a constituent, I received a letter urging strong gun control and attached to his letter was a poem dedicated to the memory of America's three most glorious sons: John F. Kennedy, Robert F. Kennedy, and Martin Luther King.

The title of the poem is "America the Beautiful" and it is by Mr. David Gimbel. It goes as follows:

AMERICA, THE BEAUTIFUL!

(By David Gimbel)

America, The Beautiful, your face is stained with tears,
Your three sons were murdered in cold, cold blood in just a few short years.
A nation great just bows its head, and hearts are filled with shame,
While we keep on asking why, and wonder who is to blame.

America, The Beautiful, a nation powerful and proud
Has been wounded ever deeply, now living under a cloud.
A widow cries, and forever she shall mourn,
With a child that nestles in her womb, a child that's yet unborn.

America, The Beautiful, so shocked beyond belief,
While orphans cry with bitter tears, their hearts all filled with grief.
'Tis said that time is a healer, but from their graves these martyrs cry,
So young, oh, so very young, but God just let them die.

America, The Beautiful, drifting in a sea of hate,
Must reach a port of safety before it is too late.
Oh, Mother of Liberty and Justice, thy heart with anguish filled.
Preserve those voices of freedom, so that they'll never, never be stilled.

Mr. DOLE. Mr. Chairman, America expects this Congress to provide substantive means to deal with crime across the Nation. Never before has America been more clearly united on a domestic issue. Serious crime, on savage increase year after year, is today threatening to destroy all harmony and sense of security in our cities. The countryside is scarred by frequent recurrence of violence and disrespect for law. A sense of urgency to control this rampant problem has developed in America, and the Congress must respond with meaningful legislation. I wish to discuss the bill before us today, in conjunction with other anti-crime activity this year.

LONG GUN MAIL-ORDER CONTROL

Today the House again considers the State Firearms Control Assistance Act of 1968. This legislation will extend to rifles and shotguns the same restrictions, generally, placed upon handguns in the omnibus crime control bill passed earlier this year. Let me explain why I support this legislation, and also why I am convinced the President's proposal for Federal registration and licensing is impractical.

SERIOUS CRIME: AMERICAN STYLE

Three-quarters of a million persons have died by gunfire in the United States since 1900—more Americans than have been killed at war this century. Last year alone, over 100,000 Americans suffered gunshot wounds. During the 13-month period ending in September 1967, guns were involved in: 6,500 murders, 10,000 suicides, 2,600 accidental deaths, 43,500 aggravated assaults, and 50,000 robberies.

The statistics show 50 lives are lost to firearms each day in this Nation. All this carnage continues to be a source of most serious concern. The Congress must provide reasonable and responsible legislation to assist law-enforcement officials of every jurisdiction in dealing with this brutal problem.

PROVISIONS OF THE BILL

I support the State Firearms Control Assistance Act of 1968, as reported by the Committee on the Judiciary and as perfected by amendments adopted on the floor of the House. The provisions of this bill, as reported by the committee, can be tabulated as follows:

First. Mail-order sale of rifles and shotguns is prohibited.

Second. Sale of rifles and shotguns to juveniles under 18 is prohibited.

Third. Sale of rifles and shotguns to transients is prohibited.

Fourth. Manufacturers, dealers, and importers of ammunition and firearms are required to be licensed, and records of sale are required to be kept.

Fifth. Licensees are required to deny sale of ammunition for handguns to persons under 21, and sale of ammunition for long guns to persons under 18.

Sixth. Licensees are not permitted to ship ammunition or weapons interstate to unlicensed persons, such as in a mail-order transaction.

The bill allows a person who travels out of State to purchase ammunition on site. Ammunition acquired elsewhere may be transported into one's State of residence. Thus, hunters hunting out of State are allowed the convenience and safety of shipping ammunition to, and purchasing ammunition in, the place where they desire actually to hunt.

Under this legislation, persons who desire to hunt out of State may continue to do so. Persons may transport their firearms with them. They may ship their firearms ahead, consigned to themselves,

or for delivery through a dealer. Persons desiring to compete in target matches may continue to do so anywhere. They may transport their firearms and ammunition as may the hunter. Firearms may be bequested to minors. Persons will be allowed to purchase long guns in contiguous States, providing the States have specific laws allowing such activity themselves. Thus, normal market patterns—such as in the Metropolitan Kansas City area—need not be disrupted. Antique firearms, as defined, will be allowed to be shipped interstate without restriction.

There are, in short, no restrictions in this legislation upon the honest hunter and the marksman engaged in this sport. There are, above all, no requirements to license and register the individual gunowner.

The legislation before the House today does deny sale, ownership, shipping privileges, and receipt privileges of any firearm or ammunition to: Any fugitive from justice; anyone under indictment for, or convicted of, a felony; any addict of marihuana, depressant, stimulant, or narcotic drugs; and anyone adjudicated by a court as a mental defective or one committed under court order to any mental institution.

Thus, this legislation generally extends the protection of the Omnibus Crime Control and Safe Streets Act of 1967 to long guns, and provides restrictions on the interstate shipment of ammunition.

Thirty percent of the gun murders in the United States are committed with long guns, and a fourth of the policemen killed in the line of duty are murdered with long guns. Hence, restrictions on the shipment and sale of such weapons cannot be considered excessive or repressive.

On the other hand, no honest man need fear he will be denied permission to protect his home, his business, his farm, or his family. He need not fear he will be restricted in sport, and he further need not fear his right to collect and receive "antique firearms" in the mail. There are no provisions here which will harass the honest. But mail-order traffic—responsible, for example, for the purchase of the rifle that killed President John F. Kennedy—will be stopped.

SIGNIFICANT CRIME LEGISLATION IN THE 90TH CONGRESS

In addition to supporting the State Firearms Control Assistance Act of 1968, I have supported other significant legislation dealing with crime. Two major legislative accomplishments are behind the House this session: The Omnibus Crime Control and Safe Streets Act of 1967 and the Dangerous Drug Act of 1968.

The provisions of the omnibus crime control bill, as signed into law, deal with crime in a number of major ways:

Law enforcement in local communities is assisted with Federal grants totaling $100 million this year, and $300 million next year. Police units are encouraged to use this aid to improve methods and equipment.

The "voluntary confession" is declared admissible in Federal court, subject to reasonable conditions.

Federal and State law-enforcement officials, under permission from a Federal or State court, are granted increased authority to use wiretapping to combat serious crime, such as drug trafficking and murder.

Interstate mail-order sales of handguns is prohibited.

Sale of handguns to criminals, minors, mental defectives, and nonresidents is prohibited.

Rioters are denied Federal employment for 5 years after conviction. Such conviction, however, must be on felony charges.

This legislation, in providing assistance to police, is a landmark. Its provisions should be widely and energetically enforced.

DANGEROUS DRUG ACT OF 1968

On November 20, 1967, I introduced H.R. 14092, a bill providing increased penalties for drug abuse. My bill dealt with depressants, stimulants, and hallucinogenic drugs such as LSD. I was very gratified on Friday, July 12, when the House passed a bill very similar to my own, providing increased penalties for the possession, sale, or manufacture of dangerous drugs.

During the hearings on H.R. 14092, H.R. 14096 and others under consideration by the House Interstate and Foreign Commerce Committee, I testified as follows on February 26, 1968:

Mr. Chairman, last year I became more convinced than ever that our laws are inadequate to meet the challenge of illegal traffic in these dangerous drugs.

Today, I continue to be concerned because the penalty for the illegal *manufacture, sale* and *distribution* of these dangerous drugs is merely a misdemeanor, while *possession* of LSD and other hallucinogenic drugs is no offense at all.

DOLE BILL INTRODUCED

Upon completion of my review of existing related law, I introduced a bill designed to meet the challenge of the criminal element involved in trafficking dangerous drugs. I introduced a Dangerous Drug Bill, H.R. 14092, on November 20, 1967. This legislation would make illicit manufacture a felony, with increased penalties for repeat offenders. My bill would make the illegal sale or distribution of the dangerous drugs a felony for offenders over 19 years of age, and a misdemeanor for first offenders under 18. Illegal possession of any one of these dangerous drugs would be a misdemeanor for the first offense, and a felony for subsequent offenses.

I was gratified when the administration indicated strong support for legislation very similar to my own.

On Friday, July 12, by a vote of 319 to 2, the House overwhelmingly passed H.R. 14096, affirming the conviction that permissiveness in the treatment of dangerous drug offenders must cease.

This legislation, so widely supported by Members of the House and the people, is now pending in the Senate. I sincerely hope the measure receives the earliest possible consideration in the other body.

SUMMARY OF THE ANTICRIME ACTIVITY

The Congress has passed, and the President has signed into law, the omnibus crime bill. Before adjournment, final agreement should be reached on the Dangerous Drug Act of 1968, and the State Firearms Control Assistance Act of 1968, now under consideration. This combined crime-control effort, if properly implemented, will:

First. Provide the basis for Federal assistance—without Federal control—to police;

Second. Provide reasonable controls on the sale, shipment, and ownership of firearms and ammunition;

Third. Provide penalties for drug offenders never before available to the courts and police in dealing with this life-draining activity; and

Fourth. Provide additional powers and law-enforcement guidelines in dealing with serious crime.

Taken together, these three legislative accomplishments can be the most productive effort of this Congress. There has been no question about where the people stand: The call for crime control has been clear.

THE PRESIDENT'S GUN REGISTRATION AND LICENSING ACT

Mr. Chairman, the President has advocated Federal registration and licensing of all privately owned handguns and long guns. I oppose this program. The President's proposal would require every person owning a gun to register his weapon, or face a fine of $2,000 and 2 years in jail. Persons found unfit, in the opinion of the Secretary of the Treasury, would suffer confiscation of their firearms with compensation. An entirely elaborate licensing procedure would be enforced.

The President's plan, if implemented, would prove unnecessary, impractical, and expensive.

First, consider the expense. Proponents of gun registration claim the President's plan would cost about $1 per weapon. Estimates of the cost of New York's Sullivan law, on the other hand, run as high as $25 per handgun permit issued.

I have seen estimates of the number of privately owned firearms in the United States run as high as 200 million. Most conservative accounts place the total between 50 and 100 million. The truth is, nobody knows how many there really are. Anyone will agree the President's plan would ultimately cost America's gun owners hundreds of millions of dollars in registration and licensing fees. Such cost is intolerable, for the plan will not reduce the number of weapons in the hands of the underworld today.

Second, consider the effectiveness and practicality. Registration and licensing procedures would be burdensome. The underworld, as I have indicated, would not be moved to register its arms. No one would be disarmed by the President's plan, for those who might suffer confiscation obviously would not present themselves to the registrar.

Third, no hearings have been held by the Committee on the Judiciary on registration and licensing of firearms. The President's plan would be premature, for there has been insufficient study by congressional experts of the ramifications of the plan.

Finally, nobody knows how many additional Federal employees would be needed to implement the registration and licensing plan. Perhaps hundreds or even thousands of new employees would be added to the already burgeoning Federal payroll.

There is clearly no workable plan to take guns from criminals today. The only workable plan is contained in the bill under consideration today, providing Federal procedures which will reduce the availability of firearms to the undesirable purchaser.

The increased inconvenience imposed upon all of us in buying weapons will be rewarded with increased protection for all of us. The felon, the mentally deficient, the deranged, and the dope addict—these persons will not have the easy access to firearms they now enjoy.

The reasonable approach of the committee bill before the House today is a welcome alternative to registration and licensing provisions of the President's proposal. Mail-order sale, long the "open door" for ownership of firearms by anybody, will be closed. The Federal Government clearly has a responsibility to enact this legislation, for interstate shipment is the issue.

Mr. Chairman, the legislation before us today has been intensively studied by the Committee on the Judiciary. Refining amendments recommended by the committee have been adopted on the floor, and have made this legislation reasonable in almost any conceivable situation the honest sportsman may find himself.

POFF SUBSTITUTE TO CASEY AMENDMENT OF GREAT MERIT

Mr. Chairman, on Friday, July 19, 1968, this committee adopted the Poff substitute to the Casey amendment to this legislation. I am delighted the committee will have the opportunity to report this bill to the House with the Poff substitute incorporated in the language. This amendment will materially aid police and prosecutors in obtaining convictions and prison terms for the offender who uses a firearm in the performance of a Federal felony.

The Committee of the Whole has adopted this language, which provides that whoever: First, uses a firearm to commit any felony which may be prosecuted in a court of the United States, or second, carries a firearm unlawfully during the commission of any felony which may be prosecuted in a court of the United States; shall be sentenced to a term of imprisonment for not less than 1 year, nor more than 10 years.

In the case of a second or subsequent offense, the offender shall be sentenced to not less than 5 years, nor more than 25 years.

The sentence may not be suspended, and probation may not be granted.

Thus, simply put, the amendment provides that it shall be a Federal offense to carry or use a firearm in the commission of a Federal felony. And the prison sentence must be served. No matter how lenient the court or judge may be, the criminal, if convicted, will have to go to jail.

This mandatory jail sentence, in my opinion, provides a deterrent to felonies committed with a weapon.

Mr. Chairman, the Poff amendment and other amendments, many technical, adopted on the floor of the House greatly improve the bill. I support one amendment which reduces the licensing fee for a "manufacturer" of firearms from $500 to $100. This amendment is desirable, for there are many custom manufacturers who specialize in making individual weapons for collectors, and those small "workbench" manufacturers should not be required to pay such an expensive license fee.

FREEDOM AND ACCESS TO FIREARMS REMAIN

There have been over 100 amendments proposed for inclusion in the final language of this bill. The House has been considering this legislation for days, and has adopted many worthwhile modifications. I am gratified the House has, throughout the entire discussion of the State Firearms Control Assistance Act of 1968, kept foremost in mind the freedom of the individual and the protection he deserves under the Constitution of the United States. This Nation is very different from its European progenitors: Americans are quite used to greater personal freedom in speech, in the press, in religion, in assembly, and in the ownership of firearms. The Congress, in deliberating on this bill, has not ever lost sight of the basic American freedoms, so long considered our unalienable heritage.

This heritage is strengthened today, not weakened. Our affirmation of the State Firearms Control Assistance Act of 1968, and our final rejection of the registration and licensing scheme—by a vote of 89 to 168 on Friday, July 19, 1968—affirms our unshakable decision to maintain the access to firearms that honest Americans have always enjoyed.

Reasonable protection for society is incorporated in this bill; and our basic freedom remains. For progress toward more effective control of crime in the United States, I urge adoption of this legislation.

Mr. KEITH. Mr. Chairman, Saturday the Massachusetts State Legislature gave final approval to a model gun-control measure which puts the Commonwealth in the front ranks of those States who have stiff firearms control measures on the books. Massachusetts has always had relatively comprehensive controls over handguns, but this new law extends those controls to all firearms and, in addition, stiffens penalties for violations.

First of all, no one may own or possess a firearm in Massachusetts without an identification card obtained from the commissioner of public safety. Mental incompetents, those convicted of a felony within the past 5 years, juveniles, and drug addicts are barred from obtaining these identification cards. The cards are necessary for the purchase of ammunition, as well as of firearms.

Anyone who applies for the identification card and is refused can appeal to the district court, which will determine if he is a fit person to possess the card.

All firearms sales must be reported, once a week, with a description of the gun, its number, and the person to whom it was sold. Every firearm will have to have a registration number as of 1969—the delay is to give manufacturers time to comply with the new law.

New penalties, in many cases mandatory jail sentences for second violations, are an important part of the new law. Stiff punishments will be a deterrent to violations of the law.

The bill before us today, the State Firearms Control Assistance Act of 1968, will help Massachusetts enforce its new gun-control laws. By restricting interstate traffic of all firearms, H.R. 17735 will facilitate strict enforcement of the State's gun registration and licensing provisions. If all States follow Massachusetts' lead and enact similar legislation, there would be no need for Federal system of registration and licensing.

Mr. Chairman, I commend the gentleman from Illinois for proposing this approach to the problem of meaningful controls over gun ownership. Massachusetts has led the way with its enactment of a model gun-control bill—and it is my hope that other States will follow suit without delay. Firearms control can more effectively and with less redtape be carried out by the individual States. But, in the event that some States fail to act, I support approval of an amendment which will permit the Federal Government to provide such controls as are proven necessary by the experience which we will gain in the next 2 years.

Mr. MIZE. Mr. Chairman, during this discussion of effective control of firearms, especially how the registration and licensing should be handled, I think that it is pertinent to point out that some of the municipalities in Kansas have already moved ahead in this area and have adopted ordinances to regulate the sale, and provide for the local registration, of handguns. I have in mind an ordinance which was adopted by the city of Junction City, Kans., on June 18, 1968.

With the thought that the language of this ordinance could be helpful to other municipalities in taking similar action, I place a copy of the ordinance in the RECORD at this point:

ORDINANCE G–292

An ordinance regulating the sale of pistols, revolvers or other firearms with a barrel less than 10 inches in length; providing for registration of the same; prohibiting the sale thereof to certain persons; and providing penalties for the violation thereof

Whereas, the Governing Body of the City of Junction City, Kansas, has found a marked increase in the sale of pistols and revolvers within the city, and;

Whereas, the number of crimes involving the use of such weapons has increased to an alarming extent;

Now therefore be it ordained by the governing body of the city of Junction City, Kansas:

SECTION 1. REGISTRATION.—From and after the effective date of this Ordinance, no pistol, revolver or other firearm with a barrel less than 10 inches in length shall be sold in the City of Junction City, Kansas, unless the purchaser thereof shall have first obtained a registration certificate to be issued by the Chief of Police of the City.

SEC. 2. REGISTRATION CERTIFICATE.—The registration certificate herein required shall be on such form as the Chief of Police may require and shall include, but not be limited to the following information:

a. Serial number of the firearm, caliber of the same, and the make or manufacturer of the same.

b. The purchasers name, address, telephone number; drivers license number and state issuing the same; purchasers date of birth, occupation and social security number.

c. Date and time the certificate is issued.

SEC. 3. PERSONS NOT ELIGIBLE FOR CERTIFICATE OF REGISTRATION.—No certificate of registration shall be issued to any of the following classes of persons:

a. Any person under the age of 21 years.

b. Any person convicted of a felony as defined in K. S. A. 21-2611.

c. Any person who is addicted to the use of narcotics or is mentally retarded or is an habitual drunkard.

SEC. 4. WAITING PERIOD.—No firearm as herein described shall be delivered into the possession of the purchaser thereof until a period of 48 hours shall have transpired from the time of issuance of such certificate of registration and said certificate shall have been presented to the seller.

SEC. 5. EXCLUSIONS.—The provisions of this Ordinance shall not apply to any duly authorized police officer, marshal, sheriff, constable or other law enforcement officer designated by the federal, state, or county or municipal governments, who purchase weapons to be used in the performance of their duties.

SEC. 6. PENALTY.—Any persons who shall violate or fail to comply with the provisions of this Ordinance, or any person, firm or corporation who shall either directly or indirectly or by agent or employee, violate or fail to comply with any of the provisions of this Ordinance, shall upon conviction be fined not more than $100,00 or imprisoned in the City Jail for not more than 90 days, or both such fine and imprisonment.

SEC. 7. VALIDITY.—If any section or part of section or paragraph of this Ordinance is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or part of a section or paragraph of this Ordinance.

SEC. 8. EFFECTIVE DATE.—This Ordinance shall be in full force and effect from and after its publication once in the Junction City Daily Union.

Passed and adopted this 18th day of June, 1968.

E. CARL WARE, *Mayor.*

Attest:

JOHN F. HIGGINS, *City Clerk.*

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. MCCLORY] to close debate.

Mr. MCCLORY. Mr. Chairman, this country is indeed in great danger. What this legislation attempts to do is encourage States to pass their own gun ownership licensing legislation. There are 42.5 million Americans who own guns. Gun sales have increased in the last 4 years from less than 2 million a year to more than 4.5 million a year. Where are these guns? Of course, they are in the hands of persons seeking self-protection, but they are also in the hands of a great many criminal and dangerous militant elements. Guns are in the possession of incompetents, juveniles and other unfit and irresponsible persons. All this amendment does is to assure that gun owners shall be responsible and that guns shall be kept out of the hands of criminal and other irresponsible and unfit elements.

So, Mr. Chairman, support of this amendment will contribute immeasurably to reducing crime in America and preventing the large number of accidental deaths that occur in this country. There are more than 20,000 deaths by firearms in this country each year. The cost of crime by firearms is $3.5 billion a year. Certainly by this amendment we can contribute to reducing that dreadful death toll at a very low cost to the American citizen.

Mr. Chairman, I commend Col. John Glenn and the Emergency Gun Control Committee for their efforts in behalf of effective Federal gun control legislation.

Mr. Chairman, many responsible individuals and organizations have been cooperating with Colonel Glenn and his committee. I believe that in supporting my amendment to encourage States to license gun owners, they are reflecting the sentiments of a vast majority of the American people.

Mr. Chairman, I am proud to sponsor this amendment which Colonel Glenn and his committee favor.

I urge your overwhelming support of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MCCLORY].

The question was taken; and on a division (demanded by Mr. MCCLORY) there were—ayes 59, noes 102.

Mr. MCCLORY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. MCCLORY and Mr. SIKES.

The Committee again divided, and the tellers reported that there were—ayes 84, noes 179.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment. Actually, Mr. Chairman, I have a series of amendments at the Clerk's desk which I would ask unanimous consent to have considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. CELLER. Reserving the right to object, Mr. Chariman, I should like to know the import of the amendments.

Mr. DINGELL. Mr. Chairman, I would offer them en bloc. The gentleman from New York has already been furnished copies of the amendments. I will ask unanimous consent also that I be permitted to explain those amendments at the appropriate time, and I will ask unanimous consent, Mr. Chairman, that in view of the fact that copies have been furnished to the committee, I be permitted to explain the amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. YATES. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The Clerk will report the amendment offered by the gentleman from Michigan.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: on page 8, immediately after line 4, insert the following:

"(13) The term 'collector' means any person who acquires, holds, or disposes of firearms or ammunition as curios or relics; and the term 'licensed collector' means any such person licensed under the provisions of this chapter."

Redesignate the succeeding paragraphs accordingly.

Mr. DINGELL. Mr. Chairman, this amendment will necessarily be followed by a sequence of other amendments which will become necessary to conform it.

Mr. Chairman, I ask unanimous consent that I be permitted to proceed for 5 additional minutes in order to properly explain the amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Chairman, this is really a very simple amendment. It is one which is aimed at doing justice to a large number of people who will be significantly hurt by the language of the bill that is presently before us.

The amendment would establish, I say to my colleagues, a class of licensed firearms owners inside this Nation. For members of this Committee, and those who have already supported legislation to register firearms, or have supported the amendments which would license firearms owners, then they can and indeed should in good conscience support this amendment.

If they are opposed to legislation so to do, they may safely vote for this for two reasons: First, it is voluntary, and an individual need not, unless he so chooses, become a licensed firearms collector. Second, all of the collectors of this Nation very badly want legislation of this kind.

I would point out, Mr. Chairman, first that the amendment requires that a licensed collector—and he need not become a collector unless he so chooses to do—maintain all of the records on the possession of firearms, on the sale or acquisition of firearms which must be maintained by a registered dealer.

Second of all, he must conform in every particular to the requirements of law that are imposed upon a licensed dealer.

He must fill out a form that he files, to set forth the information that is required of him by the Secretary of the Treasury. He must tell the truth. He must comply in every particular with the form which the Secretary requires. He must provide all of the information that the Secretary indicates he should so provide.

In addition to this, failure to fairly disclose information required, or failure to tell the truth in every particular subjects him again to criminal prosecution. I am sure that the membership can find what the penalties and structures are by simply referring to pages 15, 16, and 17.

Failure to comply with the licensing requirment would subject him to a penalty of $5,000 and/or imprisonment for not more than 5 years.

Conceivably under other portions of the bill, a collector who has failed to comply with the law could be compelled to pay a penalty of $10,000 or 10 years imprisonment.

What will the collector be able to do? He will be able to do just a very few things. He will be able to buy and sell in interstate commerce from other licensed collectors and he will be able to sell in interstate commerce to other licensed collectors.

He will be able to sell or buy from licensed dealers in interstate commerce.

Now remember this—he may not under this amendment engage in the general sale of firearms to the citizenry at large and he may not in any event deal with

any person other than those in the categories that I have already listed.

In addition to this, he has the duty of complying with all of the regulations and duties laid down by the Secretary of the Treasury.

Why is there a need here? Many of these collectors possess many guns—scores would cover the number that many of them possess. But in many instances the number goes up into the hundreds.

A large number of those weapons are antiques and are exempt. A large number of them, and a large number of the collectors who possess these firearms, are firearms or weapons that are of current military or current sporting manufacture.

So this amendment provides the committee with an opportunity, first of all, to permit a large number of citizens to possess a very large number of weapons to do several things.

One, to record every purchase and sale.

Two, to submit to supervision.

Three, to keep records on those firearms which are in their possession.

Four, to be under strict control of the Secretary with regard to their transactions.

It permits only those who choose to do so to fall into this category. It requires them to pay the same fee that would be paid by a registered dealer. Yet, it permits them to do only two things:

One, to buy and sell in commerce with persons who are either licensed dealers or who are also of the same category that they happen to be—licensed collectors.

They may buy or sell in intrastate commerce with any one, licensed or not, but must keep records on all such transactions.

Now one more thing should be remembered about this amendment. The need for this is very clear. Collectors go to gun shows. They travel from State to State and buy and sell guns—largely to other collectors. If there is any vice in that practice and if there is a need to register firearms or to license persons who are going to possess firearms, then this amendment meets that need by requiring that the collector shall keep records on every transaction in which he engages both interstate and intrastate. If he were not to choose to become a licensed collector, he would need keep no records, and would need to submit to no control, other than to forfeit his present right to buy or sell in interstate commerce. He would meet no strictures under this bill. This amendment requires that a licensed collector practice and to keep all records that are necessary for a dealer, and to meet also all of the other requirements that are imposed on a dealer. The amendment is permissive only, it would permit him, if he so chose, to come in under this law.

Mr. ROBERTS. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Texas.

Mr. ROBERTS. I thank the gentleman for yielding. Would the gentleman's amendment make it possible for the small museums, shows, and activities of that nature to collect and display firearms? Many colleges and universities have small-gun museums. Under the present law I would assume that the Smithsonian and the larger museums would take out a license. Would the gentleman's amendment make it possible for the history department of a small university to collect firearms?

Mr. DINGELL. It is gravely doubtful under the legislation we have before us whether any gun museum or any collector can trade in interstate commerce, because none of them meet the requirements of this bill for having a place of business, something which they must have.

Second, none of them are bona fide in the business of buying and selling firearms according to the definition. This is an effort to afford large numbers of museums and things of that kind to have the opportunity, subject to the same stringent and strict regulation that the committee is pushing with regard to licensed dealers.

Mr. ROBERTS. Mr. Chairman, will the gentleman yield further?

Mr. DINGELL. I yield to the gentleman from Texas.

Mr. ROBERTS. I support the gentleman's amendment. I had an amendment which would specifically exempt institutions such as the Smithsonian and some of the other museums, but I think the gentleman's amendment would take care of the small ones as well as the larger ones.

Mr. DINGELL. The gentleman is correct.

Mr. ROBERTS. I support the gentleman's amendment.

Mr. DINGELL. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, I thank the gentleman. He has answered my question in the course of his statement.

Mr. DINGELL. Mr. Chairman, unless there are further questions, I yield back the balance of my time.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New Jersey.

Mr. CAHILL. I merely wish to get a definition from the gentleman from Michigan, if I may ask the question through the Chairman, as to what is a licensed dealer.

Mr. CELLER. I yield to the gentleman from Michigan.

Mr. DINGELL. The term "licensed dealer" is in the bill. It appears on page 7, line 18:

(11) The term "dealer" means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, (B) any person engaged in the business of repairing such firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms, or (C) any person who is a pawnbroker.

Mr. CAHILL. May I ask this question: Suppose I wanted to sell antique weapons in interstate commerce, and I merely had a personal collection. Could I qualify?

Mr. DINGELL. Under this definition?

Mr. CAHILL. Under your amendment.

Mr. DINGELL. Oh, under my amendment?

Mr. CAHILL. Yes.

Mr. DINGELL. Yes, but not as a dealer, not as one regularly engaged in the business of selling firearms, and not as one who has an identifiable place of business.

Mr. CAHILL. Could I personally qualify so that I could sell guns in interstate commerce?

Mr. DINGELL. No, because you would not be a person who was licensed to engage in the sale of firearms in interstate commerce. You would further be subject to regulation by the Secretary of the Treasury with regard to what constituted a collector. But the term "collector," licensed collector, means as follows—and I am quoting now from the amendment—"any person who acquires, holds, or disposes of firearms or ammunition as curios and relics."

I would point out that it does not include a person who regularly engages in the buying and selling of firearms as a portion of its business. The language of the amendment is taken almost directly, I will tell my friend, from the language of the Federal Firearms Act, which recognizes that such a category of person does exist.

Mr. CAHILL. I thank the gentleman.

Mr. CELLER. Mr. Chairman, I rise to oppose the amendment offered by the gentleman from Michigan, which would establish a new category, so-called "licensed collectors." The amendment defines the term "collector" as "any person who acquires, holds or disposes of firearms or ammunition as curios or relics."

This means that the intent—and this is very important—of the alleged collector who governs his status. No objective criteria are offered in the amendment. Apparently all that is required is that an individual intends to acquire, hold, or dispose of a firearm or ammunition as "a curio or relic." This is totally unacceptable.

Let us make the record clear and state that the bill we reported expressly excludes "antique firearms" from any of the prohibitions contained in the bill. If a firearm meets that definition, it can be shipped interstate. It can be purchased across State lines It can even be sold to a minor.

If a man be a collector—and I emphasize "collector"—in the generally accepted sense of the term, and he desires to acquire lethal weapons which are covered by the provisions of this bill, his burden is not great. He may continue to acquire them and sell them and trade them, but if he deals with nonresident purchasers or nonresident sellers, the bill requires that he deal with them through a dealer in his own State.

What hardship is that? This is in order to afford the State of his residence an opportunity to regulate firearms acquisition and disposition effectively.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. CELLER was allowed to proceed for 3 additional minutes.)

Mr. CELLER. Mr. Chairman, the firearms the gentleman from Michigan has

reference to are weapons—and this must be remembered—capable of causing injury and death. They are lethal weapons.

Under the amendment offered by the gentleman from Michigan, a self-styled collector could acquire firearms through the mail and purchase them across State lines. The amendment would open up a loophole as wide as the Grand Canyon.

In this regulatory measure, it is wholly unwarranted and would hopelessly complicate enforcement.

No standard is mentioned in the amendment offered by the gentleman as to what is a collector. Must the collector have one gun, must he have two guns, must he have 50 guns, or must he have 100 guns? Does the collector determine the standards?

There is no mention here as to what the standards would be.

It is carte blanche, just simply for the man to say, "I am a collector," and then he can do all the things which are made possible under this amendment.

This amendment strikes at the very heart of the bill. For that reason, I hope it is defeated.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, the gentleman knows I discussed this amendment with him many times. I requested the gentleman's suggestions as to how this amendment might be perfected.

I would point out in response to what my dear friend from New York has said, that first of all, the man has to submit an application and give the information the Secretary wants. He has to be licensed, and he must meet the same fees and has to meet the same responsibilities of the dealer, including good character.

Mr. CELLER. Mr. Chairman, I do not agree with the gentleman. The amendment itself contains no criteria as to what a collector is. It is purely subjective. He can make himself a collector simply by saying, "I am a collector."

Mr. DINGELL. Under the broad regulatory power the Secretary has over dealers, he may define what constitutes a collector, because the Secretary regularly issues regulations defining things under this bill, including what constitutes a dealer.

Mr. CELLER. The Secretary cannot override Congress.

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent, Mr. CELLER was allowed to proceed for 1 additional minute.)

Mr. CELLER. Mr. Chairman, the Secretary cannot do by regulation what we refuse to do in the statute itself. He cannot go beyond the power granted to him by Congress.

For that reason I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. DINGELL].

The question was taken; and on a division (demanded by Mr. DINGELL) there were—ayes 57, noes 39.

Mr. CELLER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DINGELL and Mr. CELLER.

The Committee again divided, and the tellers reported that there were—ayes 99, noes 56.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TEAGUE of Texas: Strike out section 5 in lines 14 and 15, page 33, and substitute therefor the following sections:

"SEC. 5. Title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351) is amended as follows:

"(a) by striking out 'other than honorably discharged' in section 1201, and substituting therefor 'discharged under dishonorable conditions'; and

"(b) by striking out 'other than honorable conditions' in subsections (a)(2) and (b)(2) of section 1202 and substituting therefor in each instance 'dishonorable conditions'.

"SEC. 6. The provisions of this Act, except section 5, shall become effective one hundred and eighty days after the date of its enactment. Section 5 shall be effective as of June 19, 1968."

Mr. TEAGUE of Texas. Mr. Chairman, the amendment which I have offered is intended to conform the description of concerned veterans under title VII, Public Law 90–351, which is the basic crime law enacted earlier in this Congress, with the description of veterans eligible for veterans' benefits under title 38, United States Code, section 101(2).

Title VII of Public Law 90–351 precludes the receipt, possession, or transportation of a firearm by felons, veterans who are other than honorably discharged, mental incompetents, aliens who are illegally in the country, and former citizens who have renounced their citizenship. Section 101(2) of title 38, United States Code, defines a "veteran" as a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.

As examples of veterans who have a discharge other than honorable, but also other than dishonorable, who therefore are eligible for veterans' benefits but who are precluded from receipt, possession, or transportation of firearms under present provisions of law, would be those who were discharged for failure to pay creditors; who were discharged for several short AWOL periods; or who were discharged for a series of violations of relatively minor military regulations, such as failure to keep self neat and clean. Obviously, those who were discharged from the Armed Forces for these reasons should not be placed in the same category with felons, mental incompetents, aliens who are illegally in this country, and former citizens who have renounced their citizenship. I hope the House will adopt my amendment to H.R. 17735, so that this inequity may be corrected.

Mr. Chairman, I have a number of telegrams in support of this amendment which I will include at this point in the RECORD:

THE AMERICAN LEGION,
July 18, 1968.

Hon. OLIN E. TEAGUE,
House of Representatives,
Rayburn House Office Building,
Washington, D.C.:

I understand you will offer an amendment to H.R. 17735 clarifying the type of discharge of veterans from the Armed Forces so as to conform the language of Sections 1201 and 1202, title 7, Public Law 90–351 with that of the VA in establishng qualifications for veterans benefits.

The American Legion supports such an amendment and we commend you for your efforts.

HERALD E. STRINGER,
Director, National Legislative Commission.

WASHINGTON, D.C.,
July 18, 1968.

Hon. OLIN E. TEAGUE,
Chairman, House Committee on Veterans' Affairs, Rayburn House Office Building, Washington, D.C.:

Two sections of title 7 of H.R. 17735 presently under consideraton by the House provides a new definition of veteran. Long standing and well understood term veteran would be changed to "for other than honorably discharged." This definition is alien to veteran programs. V.F.W. supports your proposal to offer substitute language to conform to definition of veteran in title 38, U.S. Code that veteran means: "A person who was discharged or released from active military service under conditions other than dishonorable."

FRANCIS W. STOVER,
Director, National Legislative Service.

WASHINGTON, D.C.,
July 18, 1968.

Representative OLIN E. TEAGUE,
Rayburn House Office Building,
Washington, D.C.:

DEAR MR. TEAGUE: The disabled American Veterans supports your amendment, H.R. 17735 which will assure that the definiton of the term honorable military service shall be the same as that used by the Veterans Administration in determining entitlement to veterans benefits.

CHARLES L. HUBER,
National Director, Legislation, Disabled American Veterans.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I am glad to yield to the gentleman from California.

Mr. CORMAN. Mr. Chairman, I commend the gentleman for this amendment. It corrects what was a very bad law in title VII of the omnibus crime bill. This is a badly needed correcting amendment.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I am glad to yield to the chairman of the committee.

Mr. CELLER. Mr. Chairman, this amendment is agreeable to our side.

Mr. RAILSBACK. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I will be glad to yield to the gentleman.

Mr. RAILSBACK. Mr. Chairman, I just had a chance briefly to glance at this amendment. Do you change the effective date of the act by this amendment?

Mr. TEAGUE of Texas. To comply with the other bill that was passed, Public Law 90–351, on June 19.

If I may say this to the gentleman, I have talked this over with the gentleman from Ohio [Mr. McCULLOCH] and the gentleman from Virginia [Mr. POFF] on your side, and they both told me they would agree to the amendment.

Mr. RAILSBACK. I see.

Mr. Chairman, we have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. TEAGUE].

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I have a series of conforming amendments which I offer at this time.

The Clerk read as follows:

Amendments offered by Mr. DINGELL: On page 10, line 20, strike out "or dealer" and insert in lieu thereof the following: "dealer, or collector".

On page 10, line 24, strike out "or licensed dealer" and insert in lieu thereof the following: "licensed dealer, or licensed collector".

On page 11, beginning in line 2, strike out "or licensed dealer" and insert in lieu thereof the following: "licensed dealer, or licensed collector".

On page 11, line 24, strike out "or licensed dealer" and insert in lieu thereof the following: "licensed dealer, or licensed collector".

On page 12, line 15, strike out "or licensed dealer" and insert in lieu thereof the following: "licensed dealer, or licensed collector".

On page 12, line 22, strike out "or licensed dealer" and insert in lieu thereof the following: "licensed dealer, or licensed collector".

On page 12, line 25, strike out "or licensed dealer" and insert in lieu thereof the following: "licensed dealer, or licensed collector".

On page 13, beginning in line 16, strike out "or licensed dealer" and insert in lieu thereof the following: "licensed dealer, or licensed collector".

On page 13, line 21, strike out "or dealer" and insert in lieu thereof the following: "dealer, or collector".

On page 13, line 25, strike out "or licensed dealer" and insert in lieu thereof the following: "licensed dealer, or licensed collector".

On page 14, line 23, immediately after "business" insert the following: "or, in the case of a licensed collector, his residence,".

On page 15, line 17, strike out "and licensed dealers" and insert in lieu thereof the following: "licensed dealers, and licensed collectors".

On page 15, line 19, strike out "or licensed dealer" and insert in lieu thereof the following: "licensed dealer, or licensed collector".

On page 16, line 17, strike out "or licensed dealer" and insert in lieu thereof the following: "licensed dealer, or licensed collector".

On page 17, line 1, strike out "or licensed dealers" and insert in lieu thereof the following: "licensed dealers, or licensed collectors".

On page 20, line 4 strike out "or licensed dealer" and insert in lieu thereof the following: "licensed dealer, or licensed collector".

On page 21, immediately after line 14, insert the following:

"(b) Any person desiring to be licensed as a collector shall file an application for such license with the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. The fee for such license shall be $10 per year."

Redesignate the succeeding subsections accordingly.

On page 25, line 23, strike out "and licensed dealer" and insert in lieu thereof the following: "licensed dealer, and licensed collector".

On page 26, line 2, strike out "and dealers" and insert in lieu thereof the following: "dealers, and collectors".

On page 26, line 9, strike out "or dealer" and insert in lieu thereof the following: "dealer, or collector".

On page 26, line 11, strike out "or manufacturer or dealer" and insert in lieu thereof the following: ", manufacturer, dealer, or collector,".

On page 26, line 14, strike out "or dealer" and insert in lieu thereof the following: "dealer, or collector".

On page 28, beginning in line 19, strike out "or licensed dealer" and insert in lieu thereof the following: "licensed dealer, or licensed collector".

Mr. DINGELL (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendments be dispensed with and that they be printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Chairman, these are the conforming amendments to which I have referred earlier.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I shall be glad to yield to my friend, the gentleman from New York [Mr. CELLER].

Mr. CELLER. Are these the amendments that were submitted to the members of the Committee on the Judiciary?

Mr. DINGELL. These are the amendments that were submitted to my good friend, the gentleman from New York about a week ago. These are simply conforming amendments. They will not, if adopted, change any substantive language of the bill.

Mr. Chairman, in view of the fact that the House has just adopted the text of the collectors amendment, I now offer a series of conforming amendments to simply carry out the further intent of the amendment by making the necessary changes as they appear throughout the bill.

I would be most pleased to yield to any of my colleagues if they have a comment thereon.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Michigan [Mr. DINGELL].

The amendments were agreed to.

AMENDMENT OFFERED BY MR. MAC GREGOR

Mr. MacGREGOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MacGREGOR: On page 8 strike out line 24 and all that follows down through and including line 2 on page 9, and insert in lieu thereof the following:

"(16) The term 'ammunition' means ammunition for a destructive device; it shall not include shotgun shells or any other ammunition designed for use in a firearm other than a destructive device."

Mr. MacGREGOR. Mr. Chairman, this amendment, if adopted, would strike out the definition of "ammunition" as contained in the bill currently under debate and substitute in lieu thereof the definition of ammunition taken verbatim from title IV of the Omnibus Crime Control Act of 1968 signed into law by President Johnson on June 19 last month.

Mr. Chairman, I offer this amendment as the first in a series of amendments so as to give the House an opportunity to work its will on the scope of the ammunition control section contained in this bill. I say, "give the House an opportunity to work its will," because no other body of the Congress has had that opportunity, either in a subcommittee of the House Judiciary Committee or in the full House Judiciary Committee, nor in any other unit of the Congress, as part of the general consideration of the effect of our adoption of controls on ammunition as now defined in H.R. 17775.

The only ammunition now excluded from the coverage of the bill would be pellets and buckshot; no other component parts of a shotgun shell, no other type of ammunition would be excluded from coverage. It would cover everything, whether it was for sporting purposes or whether it was used for criminal purposes according to the records of the FBI and others.

Mr. ROUDEBUSH. Mr. Chairman, if the gentleman would yield, would this amendment also cover such things as blank rifle ammunition used for ceremonial purposes in the burial of veterans by veterans' organizations?

Mr. MacGREGOR. It would, I say to the gentleman from Indiana; if my amendment is adopted then there would be no problem in that respect.

Mr. ROUDEBUSH. I thank the gentleman.

Mr. MacGREGOR. In fact, Mr. Chairman, if my amendment is adopted, all we will be including in the gun control section is ammunition for destructive devices. This is the same determination we made in the amendment with regard to the handgun control provisions in the omnibus crime control bill.

Mr. Chairman, if I lose in this first amendment, I will seek recognition for the purpose of offering additional amendments to this same ammunition definition section so that the House may decide at what level it would like to control ammunition. We could decide later, for example, if this is defeated, whether we really want to make it extremely difficult for a trapshooter or a skeetshooter or a small game hunter living in a rural area to purchase ammunition.

I believe it is very important that we consider this very carefully. We have not, as I say, had any hearings at all as to the effect of the ammunition control provisions of the bill.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman from Texas.

Mr. CASEY. Mr. Chairman, I thank the gentleman for yielding.

I want to commend the gentleman for offering this amendment because I have had, and I am sure many other Members have had, comments from gun clubs who do their own loading, and who buy the cartridge cases and empty shotgun shells, and, of course, they order their primers separately, of course, to reload the shells for their various skeetshooting sessions and target practice sessions. I believe the

amendment offered by the gentleman from Minnesota is very commendable, and should be adopted.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I will yield to the gentleman from Michigan, however, I do have further statements to make. I am not finished with my preliminary statement.

Mr. DINGELL. I thank the gentleman for yielding.

Mr. Chairman, I simply want to observe that the Senator from Connecticut, Senator DODD in the other body not long back, had a colloquy in the RECORD in which he agreed that they did not intend under the Senate version of the same legislation that is before us to cover ammunition.

Am I not correct on that?

Mr. MACGREGOR. The gentleman is correct.

Mr. DINGELL. And the gentleman inserted that into the RECORD of a few days ago.

Mr. MACGREGOR. Yes; in the CONGRESSIONAL RECORD July 17, at page 21824, the Members of the Committee can readily see from the testimony of senior officials in the Treasury Department and Internal Revenue Service that the ammunition control provisions in the Federal Firearms Act of 1938 are not enforced today, because they are unenforceable in the opinion of those charged with their enforcement.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

(By unanimous consent, Mr. MACGREGOR was allowed to proceed for 3 additional minutes.)

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman from New York.

Mr. CELLER. Mr. Chairman, is it not true that this first amendment that the gentleman from Minnesota offers would exclude from the operation of the act all ammunition, all kinds of ammunition, except ammunition for destructive devices?

Mr. MACGREGOR. The distinguished gentleman from New York is absolutely correct.

Mr. CELLER. That would mean cannon and grenades?

Mr. DINGELL. If the gentleman will yield; no, it does not include them.

Mr. MACGREGOR. No; it would exclude from coverage——

Mr. CELLER. I say would it exclude cannon and grenades?

Mr. MACGREGOR. No; I would exclude from coverage all other ammunition other than ammunition used in destructive devices.

Mr. CELLER. Those would be included?

Mr. MACGREGOR. All ammunition for those destructive devices described earlier in the bill under the definition of destructive devices would be included.

Mr. CELLER. Only the ammunition for destructive devices?

Mr. MACGREGOR. Would be included.

Mr. CELLER. And nothing else? Everything else would be out of the bill?

Mr. MACGREGOR. That is correct.

Mr. CELLER. Would be free from regulation?

Mr. MACGREGOR. That is correct.

Mr. CELLER. And that kind of ammunition could be used to kill people; could it not?

Mr. MACGREGOR. Mr. Chairman, you can kill people with any kind of ammunition—just as one can with knives and razors—as we find frequently in the District of Columbia.

Mr. CELLER. I am not debating that, but the purpose of this bill is to try to regulate, to some degree, firearms ammunition. Today we probably have 50 million or 100 million guns in this Nation in private hands—a gun without ammunition is about as worthless as an empty pitcher in an empty well.

Therefore, if you can measurably control ammunition, then you are controlling the use of guns or to put it another way, a gun without ammunition is like a scabbard without a sword and about as useless.

Therefore, the thrust of this bill is to endeavor to effectuate to some degree the control over ammunition.

Now your amendment would eliminate practically all control over ammunition except ammunition used for destructive devices. Therefore, it would go a long way toward obstructing the purpose of this bill.

Mr. MACGREGOR. That is the conclusion of the distinguished gentleman—without the benefit of a single hour's worth of hearings. It may well be the conclusion of others. But I think we ought to have hearings, Mr. Chairman. We have accomplished a great deal in the last 5 weeks. We have written into law strong provisions with respect to traffic in handguns. I hope we act now on long guns.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. MACGREGOR] has expired.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota [Mr. MACGREGOR] be granted permission to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MACGREGOR. Mr. Chairman, as the gentleman knows, I voted in the Committee on the Judiciary for the bill currently under consideration. I also expressed my reservations on shotgun ammunition. I feel very strongly that today or tomorrow we ought to take additional steps with respect to long gun controls. If we, in this session of the Congress, make progress on handgun control and long gun control, it seems to me that the appropriate thing to do before we get into ammunition controls is to give some consideration of the effect of the provisions that we are proposing to adopt by the usual legislative process of hearings and discussion among members of the committee and come to a proper evaluation—an evaluation among other things of the enforceability of these provisions.

Mr. Chairman, listen to this testimony last month in hearings before the other body—and here is Commissioner Cohen speaking:

I would like to ask the witness here why the pistol and revolver ammunition section of the Federal Firearms Act of 1938 was not enforced.

Commissioner COHEN. As the Attorney General indicated, the provisions of the Act, the 1938 Act—are not the best in the world. They are in many respects unenforceable. I might say that in 1957 the Treasury Department proposed regulations which would require manufacturers and dealers to maintain records of ammunition, except for certain small types, received and sold and to include identification of the buyer—another section would have required the buyer to sign the sales slip.

Senator HRUSKA. That was in the regulations.

Commissioner COHEN. That was in the regulations proposed in 1957.

But, Mr. Chairman, their enforcement by IRS was dropped. Commissioner Cohen said last month in our sister body that they were unenforceable.

Do you not think that we would be legislating more effectively on ammunition controls if we had some hearings?

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman.

Mr. CELLER. I want to make two points.

First. The gentleman says he was in favor of this bill and voted for it in committee.

This bill covers all ammunition. It does not exclude the types of ammunition which are excluded under the amendment that the gentleman has offered.

Mr. MACGREGOR. It covers all ammunition except the component parts of pellets and buckshot.

Mr. CELLER. Second, I think the gentleman plans to offer three additional amendments on this subject?

Mr. MACGREGOR. That is possibly correct.

Mr. CELLER. Those three first amendments were not considered by the Committee on the Judiciary. Only the last one, if I remember correctly, was considered by the Committee on the Judiciary and it was thoroughly debated and it was by a close vote, if the gentleman remembers, that the gentleman failed to get his last amendment—which will come up subsequently, I suppose—approved by the Committee on the Judiciary.

But the last amendment is certainly far less harmful than the first three amendments.

They are very, very different and I think the gentleman should make a distinction there.

Mr. MACGREGOR. I will have to argue them one at a time, Mr. Chairman. If I lose on No. 1, I will offer No. 2. If I lose on No. 2, I will offer No. 3.

Mr. CELLER. May I just ask the gentleman a question?

Mr. MACGREGOR. The gentleman may do so.

Mr. CELLER. I have not conferred with the rest of the members on the Committee on the Judiciary, but so far as I am personally concerned, I would be willing to allow the fourth amendment on condition that the gentleman withdraw his first three amendments.

Mr. MACGREGOR. Mr. Chairman, I can understand your position.

Mr. CELLER. That was the gentle-

man's position before the Judiciary Committee.

Mr. MACGREGOR. I do not mean to seem ungrateful for that generous offer on the part of the distinguished chairman, but I am disposed as a legislator to give this body an opportunity to work its will on a matter on which the whole House is legislating. I propose to give the Members a descending level of options in respect to ammunition controls, an opportunity to consider descending levels of restriction in the definition of ammunition. If I lose on the first one, I will offer the second one, which would cover ammunition for destructive devices and for pistols and revolvers; it takes the same language which is now in the Federal Firearms Act. If I lose on that, I will go on to an amendment which would exclude from coverage only ammunition for shooting small game and small birds. If I lose on that, the fourth one has to do with birdshot a little bigger than sand.

Mr. CELLER. I only made a proposal to the gentleman. As the gentleman has rejected the proposal, I am not certain that I will vote for even his last amendment.

Mr. MACGREGOR. I would not expect the gentleman to keep the offer open indefinitely for repeated rejections by me.

Mr. HUNT. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman from New Jersey.

Mr. HUNT. I thank the gentleman from Minnesota for yielding. I rise to get some clarification on this ammunition project. The language on page 8 of the report would indicate that hunters and sportsmen could travel out of State to a site, a place to hunt, or to engage in target practice or target matches, but they could not take their ammunition with them. However, when they arrive at a site, then they would be able to buy ammunition, and they would be required to return whatever they had left over.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

(On request of Mr. GROSS, and by unanimous consent, Mr. MACGREGOR was allowed to proceed for 3 three additional minutes.)

Mr. HUNT. I simply wanted clarification of this language. Does this mean that if we are going to a shoot in an adjoining State, we cannot take ammunition with us, but we have to go there and buy it in the other State? The language of the report makes that statement.

Furthermore, on page 9——

Mr. MACGREGOR. May I respond to that first?

Mr. HUNT. Surely.

Mr. MACGREGOR. I find nothing in the bill which would prohibit you from traveling to my fine State of Minnesota and carrying shotgun ammunition with you. I think what you have reference to in the bill is the fact that an out-of-State hunter may buy his ammunition in a State other than in the State of his residence. That is not true of a gun, but it is true of ammunition as the bill is now drafted. That is what the language in the report is meant to state.

Mr. HUNT. Then the statement in the report, on pages 8 and 9, to the effect you cannot buy or take it with you, but you have got to buy it at the site is erroneous? That is the clarification I seek.

Mr. MACGREGOR. If the report says that you cannot take it with you, it is wrong. If it says you can buy it at the site, technically it is correct. Sometimes there is no opportunity to readily find an ammunition source if you are at a duckblind or are out hunting deer in the woods, but in the report it says you can buy ammunition at the hunting site.

Mr. HUNT. That is the point. I do not know how I would buy the ammunition if I were on the Missouri River Flyway 10 miles from the nearest town.

Mr. BIESTER. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman from Pennsylvania.

Mr. BIESTER. I thank the gentleman for yielding. The gentleman's statement with respect to ammunition is correct. The right to purchase it at another site is simply an additional right offered to the hunter.

Mr. MACGREGOR. May I say to the members of this committee that since you did not have the benefit of any hearings and do not know on what basis we are legislating here, if you wish to read the text of the amendments I have proposed, you will find them at the counsel table. I sent letters to the members outlining the contents, but if you do not have that letter with you, you will also find copies at the counsel table.

Mr. WYDLER. Mr. Chairman, will the gentleman yield.

Mr. MACGREGOR. I yield to the gentleman from New York.

Mr. WYDLER. Under this amendment, would it be possible to buy .50-caliber machinegun bullets?

Mr. MACGREGOR. This restates the existing law. You mean would .50-caliber machine gun bullets be covered?

Mr. WYDLER. Yes.

Mr. MACGREGOR. I do not know whether a .50-caliber machinegun is a destructive device. I do not think so. But it is a gangster weapon strictly controlled under existing law.

Mr. WYDLER. I thank the gentleman.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman from California.

Mr. CORMAN. For the purpose of clarifying the language in the report, I read again the language on page 9, the second paragraph. It states that one may buy ammunition out of State when he is out of the State.

Mr. CORMAN. But he can transport or ship unused ammunition with him even though that is across the State lines.

Mr. GROSS. But how about taking it with him?

Mr. CORMAN. The report says he can take it with him.

Mr. BIESTER. Mr. Chairman, I rise in opposition to the first of the MacGregor amendments. I begin by commending the gentleman from Minnesota who has just spoken for the work he has done on this bill. I respect his work very much. I respect the gentleman's work as a member of the committee, and I disagree with him on this amendment only reluctantly.

However, the effect of the amendment offered by the gentleman would be to take ammunition out of the provisions of this bill. To do that in a very real sense would disturb the effect of the bill and it would have a very tremendous effect upon the effectiveness of the bill.

Mr. Chairman, we have heard a great deal in the last few days in the debate on this bill about what we are going to do, with respect to the problem of enforceability, and that what we are doing is legislating in an area where enforcement is going to be very difficult. It strikes me that if the amendment of the gentleman from Minnesota were adopted, it would make enforcement of this bill even more difficult. I respectfully feel that to eliminate ammunition from this bill would be to savagely cut at its effect and at its impact.

We do not prohibit a hunter or a sportsman from carrying ammunition with him over a State line to a hunting site or a target shoot. We do not prohibit him from acquiring in his own State those items necessary for hand loading at home, so long as he does it on a noncommercial basis, so he can handload at home and he can carry his packed ammunition to the site for the shoot.

I hope the amendment offered by the gentleman from Minnesota will not be adopted and that we can avoid the watering down of this very important legislation.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. BIESTER. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, it may or may not be known, and I rise simply for information, but at the International Police Academy here in this city, where we train for other nations national security forces under AID, they do their own mechanical and hand loading of training ammunition for firing on their own ranges under most expert supervision. In the opinion of the gentleman who opposes this amendment, and if we pass the bill as it now stands without the amendment, would there have to be special dispensation for loading this special ammunition?

Mr. BIESTER. As long as there is a government function, there is an exemption to do it, contained in the act, so that would be exempt and would not be affected.

Mr. HALL. Let me ask if a similar private enterprise for training, whether it be a rifle association or a Boy Scout camp teaching proper rifle training and including target practice, or whatnot, would they be excluded under the bill as it now stands without amendment?

Mr. BIESTER. No, they are not excluded since the exclusion applies only to agencies of Federal, State, or local government.

Mr. HALL. I note the recorded answer differs from the vocal reply in colloquy. Under the revised answer it is obvious to all that this bill should be defeated out of hand. Only the less advantaged would ever hope to legislate to preclude

future proper training of the future men and women of the United States of America under proper supervision.

Mr. CORMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I oppose this amendment and my objection goes to all four amendments. I must commend the gentleman from Minnesota, because he has four chances at us, and each one will seem a little milder than the one before. But the fact of the matter is that any one of these four amendments will drastically reduce the effectiveness of this bill.

It would seem from the teller vote on registering and licensing, that about one-third of this House is critical of the Judiciary Committee, because we have brought such a mild bill to the House. I would suggest this Federal legislation does really only one thing, and that is to make it possible for the States to decide what standards they will impose on the ownership and transfer of guns. We do little more than that. We do separate out some people that we say as a Federal standard ought not to have guns and ammunition with which to fire them. Among those are minors and convicts of certain kinds of felonies and drug addicts and people who have been adjudged mentally incompetent. That seems reasonable and rational.

But if we adopt any one of the four amendments offered by the gentleman from Minnesota, we will withdraw that Federal limitation on between 50 million and 200 million guns which are in the hands of Americans now.

Obviously many of them are in the hands of those people whom we say ought not to have them and to be able to fire them.

The fact of the matter is that we made it relatively easy for anyone who is qualified to get ammunition to do it. We imposed no restrictions that he buy his ammunition in his State of residence. We made no regulation about his transporting that ammunition across State lines. We tried to make it relatively easy for those who pack their own ammunition to receive the pellets through the mail.

But we did require over-the-counter purchases of the explosive device itself and all those things that may flow from it. Unless we provided that they be bought over the counter from a licensed dealer we were in effect imposing no kind of regulation on the weapons now in the hands of the citizens.

These four amendments are interesting, because each one bites a little more off the dog's tail.

The fact of the matter is, as I understood the arguments in the full committee, what we are really after is to protect some munitions manufacturers who like to do business through the mail. Obviously if the committee bill is passed they will not be able to do that any longer. They will have to start selling ammunition through licensed dealers.

I believe that is a reasonable requirement for the munitions makers.

We talk about recordation. There was some talk about the terrible imposition on the retailer if he has to record each sale. That is not an unusual requirement. Many States require all kinds of records for poisons, ant paste, and a wide variety of items.

There is no question about the fact that one who is intent on buying a poisonous substance or ammunition for illegal purposes would be hesitant to purchase it if he had to go in and have his name recorded as to that purchase.

What about the dealer, the retailer? He has to record every transaction, for all kinds of purposes; for sales tax purposes and for his own inventory purposes. The only additional fact he would have to record here is the name of the purchaser, and he would have to have some identity, that the purchaser is of sufficient age to buy, and if he were an apparent insane person or a drug addict the dealer would be on notice he ought not sell.

The CHAIRMAN. The time of the gentleman from California has expired.

(On request of Mr. CELLER, and by unanimous consent, Mr. CORMAN was allowed to proceed for 2 additional minutes.)

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the chairman of our committee.

Mr. CELLER. Is it not true under the amendment offered by the gentleman from Minnesota there could be an order by mail of ammunition without restraint?

Mr. CORMAN. That is correct.

I would point out, if I may, as to all four amendments the fact of the matter is that even the fourth, the mildest one, the birdshot exemption, still would involve selling through the mail lethal ammunition for the weapons which people in this country at the moment have.

Mr. CELLER. Is it not rather inconsistent, if we adopt the gentleman's amendment? In one way we prevent weapons which are lethal from going into the hands of incompetents, juveniles, mental defectives, convicts and drug addicts; and, on the other hand, we allow them to have ammunition.

Mr. CORMAN. That is completely correct; yes, sir.

Mr. CELLER. Would it not also discourage States which intend to pass strict gun-control laws? Numerous States have passed laws, which seek to regulate ammunition. Would this not have the effect of discouraging those States from passing strict gun control and ammunition laws, if we adopt the amendment?

Mr. CORMAN. Yes, sir. We would be in exactly the same position we are now with respect to guns. No matter how strict the State law is, if a man can send through the mail and avoid a State law as to guns the State law is of no use. That would be precisely the same situation as to the ammunition.

Mr. CELLER. A number of the States have strict gun laws and ammunition controls, but they are concerned lest the neighboring States which do not have such laws permit shipment of ammunition into those neighboring States that do have the strict gun-control laws. This would vitiate the laws of the latter States, is that not true?

Mr. CORMAN. That is true; yes, sir.

Mr. RYAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment.

I would like to point out that last Wednesday, July 17, when this bill was first under debate, at pages 21830 and 21831 of the RECORD, the gentleman from Minnesota [Mr. MACGREGOR] asked if I could recall any prominent person who was killed with a shotgun which used a shotgun shell designed for bird shooting. I replied that I recalled that William Woodward, Jr., has been shot to death with a shotgun. William Woodward, Jr., was a well-known millionaire who owned a famous stable of horses—racehorses.

The gentleman from Minnesota [Mr. MACGREGOR] said that he believed I would find that he was not killed with a shotgun shell designed for bird shooting.

I should like to report to the House and to the gentleman from Minnesota that I have done some research since Wednesday, and I have found out that my memory was correct.

The facts are that on October 30, 1955, at 2:09 a.m., at Oyster Bay Cove, N.Y., William Woodward, Jr., was killed with a shotgun and the cartridge used contained size No. 7 shot, a shot manufactured by Eley Kynoch in England, which is designed for bird shooting. Its purpose is for hunting woodcock, grouse, dove, quail, but it proved fatal to a human being in this case. Eley Kynoch size No. 7 shot is the virtual equivalent—to the decimal point—of the size No. 7½ shot manufactured in the United States, which is .095 caliber. This ammunition would be exempt under the pending amendment and the other three amendments to be proposed by the gentleman from Minnesota.

The implication in the gentleman's question was that shotgun ammunition is not as dangerous as that used in rifles or handguns and, therefore, should be exempted from regulation and control. That is the point he seems to be making this afternoon.

A review of some of the major murders shows that shotguns have been frequently used. This is especially true in civil rights murders.

For example, in July 1964 Lemuel Penn was murdered with a shotgun in Georgia.

In 1965, in the summer, Willie Brewster was murdered with a shotgun in Alabama.

In 1965, on September 13, the Reverend Jonathan Daniels was murdered with a shotgun in Alabama.

In June of 1966 James Meredith was the victim of an attempted assassination, and a shotgun was used.

Every one of the shotguns used was loaded with ammunition without which neither death nor injury would have resulted.

According to the uniform crime reports issued by the Federal Bureau of Investigation, in the year 1966 there were an estimated 10,920 murders. Nine percent of these were committed with a shotgun, 7 percent with a rifle, and 44 percent with a handgun.

Mr. Chairman, although the figures for 1967 have not yet been published, I am

informed that the statistics will show that murders with shotguns again will constitute about 9 percent of the total.

I supported the amendments for the registration of all guns—handguns and long guns—and the licensing of all gun users. I regret the failure of the House to pass those amendments. Certainly the bill before us should not be weakened any further. To exempt ammunition from regulation and control would reduce its effectiveness very severely. At a minimum the bill should be passed as it now exists, and this amendment and other amendments to be offered to exempt ammunition should be defeated.

Mr. SIKES. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SIKES. Mr. Chairman, I would like to engage the attention of the distinguished gentleman from Minnesota, the author of this amendment. It occurs to me, if I understand the amendment correctly, that the gentleman is simply trying to make it a little more convenient for sportsmen and other law-abiding owners of weapons to obtain ammunition in the area where they expect to use their weapons. Is that a correct interpretation?

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I am glad to yield to the gentleman from Minnesota.

Mr. MACGREGOR. May I say to the gentleman from Florida that that is one of the main purposes. The situation in my part of the country and in other parts of the country, I suspect, is that people who live on ranches and farms and individual hunters living in remote areas, all of whom are law-abiding people and all of whom know about the use of guns, buy small game and bird ammunition by mail. They do not use guns in connection with crimes. However, if you do not adopt this amendment, you will dry up the local source of shotgun shells and they will have to go for a considerable distance to buy them from a licensed city dealer. You are going to take away their right to obtain these shells, without doing anything to stop or to control crime.

Mr. DINGELL. Mr. Chairman, will the gentleman yield to me?

Mr. SIKES. Yes, I yield to the gentleman from Michigan.

Mr. DINGELL. There are some 300,000 transactions in ammunition today. I have observed with great interest the fact that the Secretary of the Treasury has since 1938 had broad regulatory powers to control the sale of this ammunition. He has had the power to require all of the things that this bill would require. He has had broad power to require recordkeeping. This amendment is going to eliminate one of the most onerous and burdensome of laws which we could impose, and that is the fantastic recordkeeping of the ammunition. In any event, it would be impossible to tell one load of ammunition of a given caliber from another load of ammunition of the same caliber.

Mr. MACGREGOR. Let me respond further to the gentleman from Florida [Mr. SIKES] by saying that we also have the question with respect to the homeowner or the "mom and pop" grocery store where they have a few boxes of ammunition on hand.

Let me say that from the standpoint of legislative progress, the legislation which we will finally adopt this year will have made great strides toward controlling the use of firearms and ammunition used in the commission of crime. I ask that we get on with the enactment of reasonable legislation directed toward the control and use of guns and ammunition by criminals.

Mr. SIKES. Mr. Chairman, if the gentleman will yield further, there is one other point which I would like to mention to the distinguished gentleman from Minnesota. Some of us are getting older and our reflexes are not as fast as they once were and it takes more ammunition to bag our limit of birds or other game.

In other words, I do not want to have to carry all of that ammunition if I go from my home State of Florida to the gentleman's home State of Minnesota when I go hunting.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the purpose of this amendment, as I understand it, is to restrict and confine Federal regulation of ammunition transactions. It excludes certain types of ammunition widely used, most commonly needed for the 50 to 200 million guns now in private hands.

Mr. Chairman, to adopt this amendment and permit mail order shipments of ammunition to equip and service lethal weapons already in the hands of irresponsible persons—juveniles, mental incompetents and the like, while at the same time prohibiting the acquisition of firearms by such persons, makes no sense whatsoever. Ammunition and firearms are like the reverse and obverse of a coin. None of it can be of any use without the gun, and to the degree that we effectuate some degree of control over ammunition, we effectuate control over firearms.

Mr. Chairman, one of the main purposes of this legislation is to have a modicum of controls over firearms and control over ammunition. But the adoption of this amendment would destroy that control.

The Federal regulatory scheme proposed by this bill is to strengthen the ability of the States to regulate the purchase and possession of firearms and ammunition within their borders.

The amendment proposed by the gentleman from Minnesota drastically impairs the States' ability to exercise their power. For example, the recently enacted State firearms and ammunition controls in the State of Illinois will be thwarted by the adoption of the amendment proposed by my colleague from Minnesota. States now considering adopting provisions to regulate the sale, possession, and ownership of firearms and ammunition will be discouraged from regulating ammunition transactions if the MacGregor amendment prevails. State law will be too easily circumvented by the convenient methods of ordering ammunition from out of the State.

I understand the gentleman from Minnesota supports the objectives of this legislation. That is, he agrees that regulation of interstate commerce of rifles and shotguns, as well as pistols and revolvers, is needed and is appropriate. He supports limitations on sale of such firearms to juveniles, to nonresidents and the prohibition against mail-order sales. But when it comes to equipping and arming the 50 to 200 million guns already in private hands—some of which, Mr. Chairman, we may safely assume are in the hands of irresponsibles—the gentleman from Minnesota balks.

He urges that those guns be readied on the firing line. He urges us to promote and continue anonymous mail-order acquisition. He does so, Mr. Chairman, arguing that to do otherwise would be an inconvenience to hunters and trapshooters.

Mr. Chairman, the stakes are too high, I say to the Members of the Committee, the costs are too great, the danger too imminent not to warrant this little inconvenience to hunters and trapshooters. And I submit the inconvenience here is negligible. We do not ban the sale of ammunition. All we require is that it be purchased face to face in the State of one's residence, or in any State, let it be face to face, not through the mails.

Mr. Chairman, I urge rejection of any proposal that would have the results that the gentleman contemplates.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from California.

Mr. CORMAN. Mr. Chairman, I thank the gentleman for yielding.

The gentleman from Florida mentioned a while ago—and I seriously doubt that he is as bad a shot as he implies—wanting to buy ammunition. I want it to be understood that you can buy ammunition from a dealer in any State. The requirement that purchases must be made in your State of residence does not apply to ammunition. I want to be sure the record is clear on that point.

Mr. CELLER. I yield back the balance of my time.

Mr. RAILSBACK. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I rise reluctantly to oppose the amendment offered by my good friend and colleague from Minnesota, but I believe that the Members ought to be quite certain about what the effect of this amendment is going to be.

As a matter of fact, I speak as one who is concerned about the recordkeeping that is called for under this bill in regard to ammunition sales. But this really does not have anything to do with recordkeeping. What we are doing is taking out of the effective control of this bill all ammunition sales through the mail regardless of what individual, or his age; we are completely doing away with any kind of condition of eligibility requirements for anybody to buy ammunition.

Many of us have argued against registration. I was one of those who argued against Federal registration, and I argued against it primarily because it is my feeling that this bill that we have before us for the first time is going to give the States the responsibility they need to motivate them to do something

themselves as far as coming up with firearms controls.

And the same is true of local government.

The Treasury Department sent a couple of people over to talk to the gentleman from Pennsylvania [Mr. BIESTER] and me. We asked them what their experience had been in respect to these interstate mail-order sales, primarily with respect to firearms. Their inspections indicated that, of the several thousand people who were inspected, something like 40 percent had used a fictitious name or a false address.

Now what we are doing is not in any way helping the legitimate dealer in respect to his recordkeeping problems, which we could legitimately help him on possibly by an amendment. But we are saying that just anybody could order through the mail any quantity of ammunition he chooses to order, whether he is a licensed dealer, a collector, or a manufacturer, or an importer.

The amendment has no controls because it excludes from the definition of ammunition all ammunition except ammunition for destructive devices.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I yield to the gentleman.

Mr. MACGREGOR. Since the gentleman has mentioned the officials of the Treasury Department, I wonder if the gentleman is familiar with the following testimony of a high-ranking official of the Treasury Department.

Ammunition is not serially numbered and is very hard to trace. These factors make these provisions of the federal firearms act relating to ammunition impractical to administer. Further, we know of no instance where any of these provisions have been helpful in controlling the interstate flow of firearms or in law enforcement.

Mr. RAILSBACK. Now, let me show you how we are lending enforceability.

It is true that we have recordkeeping requirements under the old law of the Federal Firearms Act. They were not enforced.

But what we are trying to do here is to say, "Mr. Purchaser, if you want to buy ammunition, go to a dealer and buy it within your own State."

We go even further and we are more liberal than that and we say, "You can go out of the State and take your firearm and buy your ammunition out of the State."

What we are saying is simply that you cannot sign an order blank regardless of your age or whether you are a criminal or a narcotics addict or a mental incompetent and order ammunition through the mail.

We are saying that we want some dealer to see the purchaser, to see if he is a capable and competent person.

We are saying we want some recordkeeping. I do not say all of the recordkeeping requirements.

Mr. MACGREGOR. Does the gentleman really want to cover all the trap and skeet shooters?

Mr. RAILSBACK. I simply want to ban the interstate mail-order sales because I am convinced from testimony that I have heard and from statements made to me by the Treasury Department that approximately 40 percent of the people give false and fictitious names. That bothers me.

Mr. MACGREGOR. This bill would do a lot more than ban interstate firearm sales.

Mr. RAILSBACK. You know that your trap shooter can go to any local dealer and can go out of the State if he wants to trap shoot or skeet shoot and he can buy ammunition.

What we are saying is that we are not opening the flood gates to let everybody buy ammunition through the mail in any quantity.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, the reason we are considering this bill here today, H.R. 17735, is because the omnibus crime bill only covered handguns and ammunition for handguns.

If the omnibus crime bill had gone further and covered long guns we would not even be considering this bill here today.

The gentleman from Minnesota [Mr. MACGREGOR] states very clearly the relationship to this particular amendment. This is a definition of ammunition contained in the omnibus crime bill which became a law on June 19 of this year.

So, obviously, if we are going to enact controls on long guns, we have to have some adequate and sensible control as to ammunition for long guns.

One of the biggest arguments that has been made here today is that if this amendment is not adopted, we will have a hardship being worked on trapshooters and hunters of small birds and things of that nature. The fourth amendment which the gentleman from Minnesota [Mr. MACGREGOR] claims to offer if his first three amendments are defeated does take care of the trapshooter, et cetera, using only shotgun shells containing pellets less than .158 inches in diameter. But to take controls off ammunition, rifles, and other types of long guns within the State would defeat much of the very purpose that we are trying to accomplish.

Mr. BIESTER. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. BIESTER. I wish to commend the chairman on his statement, an accurate statement. I think it reflects solid consideration of the problems we are facing in this bill.

Mr. CONYERS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to commend my distinguished colleague on the committee for bringing forth the kind of argument that he has in opposition to this amendment. I concur with the chairman of the committee, and those of us who feel it is important that we can exert some form of regulation through this control of ammunition.

Mr. Chairman, I urge the defeat of this amendment.

If I may make one initial observation, it is this: I think this reflects on the whole problem of this legislation. One of the great problems we have is that all too often we have two views of what gun owners are like. Many of us view gun owners as sportsmen, hunters, good neighbors, and solid citizens. Some view gun owners as if they were all criminals or murderers. The great majority are decent, law-abiding citizens. But some are not. As the gentleman from Illinois pointed out, 45,000 of so-called dealers in this country are not dealers at all. This committee bill represents a balanced view of gun owners and seeks to give the least inconvenience to valid, good, honest sportsmen, and still provide some means of control of those who are not.

Mr. WILLIAMS of Pennsylvania. I agree with the statement of the gentleman from Pennsylvania. I do wish to commend the committee for having done a fine job. I would recommend the defeat of this amendment and the adoption of amendment No. 4 of the gentleman from Minnesota [Mr. MACGREGOR], which has already been accepted by the gentleman from New York [Mr. CELLER].

Mr. DOWDY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I support the amendment. When I think of the flood of paperwork that would be necessary to keep the records that would be required under the bill, I am overwhelmed. I do not see how it can be done. I think it might be well here, as a means of comparison of the amount of paperwork, to refer to the requirement that was provided by one of the printed committee amendments, which itself was amended before adoption by the Committee of the Whole House.

This was the provision for the preservation of ballistics tests of bullets from rifled barrels of firearms. That was stricken allegedly because of the overwhelming problem of the recordkeeping that would be involved. There would be just one record for each rifle barrel that is manufactured. Here you would actually go to the point at which you would require a record to be kept of every bullet manufactured, not only those for rifle barrels, but all shells that are produced for firing through a shotgun. When I was a hunter, I would fire several hundred shots during the quail season.

The purpose for the requirement of the preservation of ballistics test bullets from rifled barrels of firearms was to begin the establishment of a truly effective means of tracing firearms of the type which is most often used in the commission of serious offenses against the law. If the pistol or rifle used in the commission of such a crime does not fall into the hands of the sheriff or police, it is impossible to trace, no matter how complete the records of interstate sale or shipment of firearms may be; yet, oftimes, though the gun is not recovered, there is recovery of the bullet, which would make it possible to compare the bullet in evidence with another bullet known to have been fired from the same gun barrel.

The rifling inside the barrel of a pistol or rifle leaves a unique mark on the bullet which passes through it; in much the

same manner as a fingerprint left at the scene of a crime may identify a criminal, so can the rifling marks on a bullet be used to identify the gun that fired it.

Of course, it is to be admitted that it may be some time before a sufficiently sophisticated system of identifying bullets may be established and perfected, but if such a procedure is ever to be effective, we must begin somewhere. The earlier such ballistics test firing of newly manufactured guns and rifles is required by law, the sooner we will be able to make this invaluable system available to the law-enforcement officers of America. I know that such tests are valuable aids in law enforcement; in my years as a prosecutor before I came to Congress, I had occasion to use such tests in prosecution for murder.

Now this was something that could have been valuable to law enforcement, but it was cast out because of the amount of records which would be required to be kept. But if each piece of ammunition is covered, there is not storage room in all the United States of America to keep all of the records which would be required under this ammunition control, and the amendment ought to be adopted because there is no feasible means of coordinating such records, and the manpower that would be required is beyond imagination.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I simply wanted to state it was my understanding that the section which imposed or called for a test bullet being retained from each weapon with a rifled barrel had been taken out of this bill.

Mr. DOWDY. Yes. It has, but I brought it up purely as a comparison of the amount of records that would have been required. It was taken out because of the records that would have been required, and there is no comparison with the volume of records which would be required under this amendment.

Mr. McCULLOCH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I regret the necessity of rising to oppose the amendment offered by my good and able friend, the gentleman from Minnesota [Mr. MACGREGOR]. However, I think the amendment of the gentleman will materially lessen the good effect of this proposed legislation. Under existing law there is no prohibition against the purchase by mail or otherwise and the transportation from seller to buyer of ammunition. That means a 10-year-old boy can find a gun in a field and buy ammunition and use it.

The bill before us is the first attempt at regulating the sale of such ammunition.

The first amendment of my very good friend from Minnesota would permit the sale of shotgun shells that have pellets as large as .36 of an inch in diameter. That is far bigger than the rubber on the point of this pencil.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. Mr. Chairman, under the bill as drafted, one can buy those same big shots or buckshots without any restriction whatsoever.

Mr. McCULLOCH. Mr. Chairman, ordinarily I would accept the statement of the gentleman from Minnesota, but that I do not believe is quite accurate. We have provided in the original legislation that a flood of certain qualifications of size was eligible under the law.

Mr. MACGREGOR. Would the gentleman yield so I can refer to the actual language of the report?

Mr. McCULLOCH. I would rather yield at this particular time on this particular question to my friend the gentleman from California [Mr. CORMAN].

Mr. MACGREGOR. Mr. Chairman, I would like to indicate the language of the report buttresses what I just said.

Mr. CORMAN. Mr. Chairman, unless we couple the explosive device to go with it, the buckshot is not very dangerous. If we couple the two together, it is very dangerous, and that is why we prohibit the explosive device from being shipped through the mail.

Mr. McCULLOCH. Mr. Chairman, I would emphasize that the difference between the gentleman from Minnesota and the gentleman from Ohio is the description of that item of the lethal part of that weapon, a slug. I should like to say to the Committee that few, if any people were ever killed or murdered or maimed by a gun without ammunition. If they were, it was when the gun was used as a club.

I repeat, if the amendment of my very good friend from Minnesota is adopted the mail order or other sale of ammunition can be made without let or hindrance in this country.

Furthermore, Mr. Chairman, under the bill as drafted any hunter who wants to use shotgun ammunition or other ammunition for hunting may buy it in his State of residence and transport it to the place where he is hunting, or he may buy ammunition in the place where he wishes to hunt.

For that reason, I believe, the amendment which my very good friend has proposed will materially reduce the effectiveness of this legislation; and for that reason I hope it will be rejected.

Mr. BATTIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I had not intended to inject myself into the debate on this amendment but after listening to some of the statements made I am compelled to respond. The gentleman from Minnesota [Mr. MACGREGOR] is a very able debater and I am sure he can take care of himself. His amendment is a good one.

I have listened to the figures used here this afternoon and some Members say there are somewhere between 50 million and 200 million guns in the United States at the present time and that they are in private ownership. Without this amendment by the gentleman from Minnesota the committee will be able to do indirectly what it could not do directly, that is effectively eliminate guns in the United States.

The chairman of the committee, the gentleman from New York [Mr. CELLER], said, "Certainly a gun without ammunition is worthless." And that is true.

But let us go a little further. The only reason I am on my feet now is that I have not been able to figure out, between the 50 million and the 200 million guns in the country, how many of those guns are in the hands of criminals and whether this legislation or any other is going to stop first, a criminal from getting a gun; and, second, getting the ammunition—and using it for whatever purpose he wants.

It is against the law now to use a gun illegally. If anyone believes the criminals are going to follow the regulations and the law we pass, the laws that we impose on the law abiding, that is one thing, but I would have to disagree. I do not believe this element will pay any attention to it, because they do not pay any attention to the laws right now.

More important, the FBI figures for 1966 show that there were 3,243,370 felonies committed. That is all felony crimes in the United States in 1966. Of those, 3.4 percent were crimes in which weapons of some sort or another were used, even down to the point of using fake guns. As to the rifles and shotguns, they were involved in less than one-half of 1 percent of the crimes committed.

Why should we give the law abiding a black eye? This is just what some have attempted to do in this debate. Why give a black eye just because somebody wants to own a gun legally, under the laws of his State, and use it for his own recreation and the protection of his own home?

Some now say "Yes, let him have the gun, but restrict his present rights on purchasing ammunition."

I appreciate the fact that one can go down to the local hardware store or sporting goods store and buy ammunition. You can do that now. You can also order ammunition through the mail now.

What is really being pushed is to deny to a citizen of the United States, who is a law-abiding citizen, the right to do something that today he has the right to do. A person can buy ammunition through the mail today. Many who live in remote areas of our country need and should have the right to purchase in this manner.

You are taking away an existing right. You are not—I repeat—you are not going to stop one criminal from getting the ammunition for a gun he wants to use to perpetrate a crime.

Mr. Chairman, I will insert in the RECORD some remarks on how a criminal gets a gun. He is not going to purchase a gun or ammunition like the average citizen. He either steals it or he buys a stolen gun, and he does the same thing with his ammunition.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from California.

Mr. CORMAN. I thank the gentleman for yielding.

He has given us the strongest arguments against the MacGregor amendment when he says the potential criminal will do whatever is necessary to buy ammunition. The point is that there will be some control on the part of the dealer if these amendments are defeated. Then we do not rely solely on the conscience of the potential criminal.

Mr. BATTIN. Let me say to the gentle-

man I am not going to rely on the conscience of potential criminals, either, because he does not care whether you pass this law or not.

Mr. Chairman, I have previously made known my opposition to restrictions on the rights of individuals to possess firearms, but now that we are moving toward a conclusion of the scant deliberation of a new gun control bill I wish to summarize my objections and offer a statistical argument and other comments that have not received full notice in prior debate. Before this bill was brought to the floor, I testified in opposition before the House Committee on Rules. Prior to its presentation to this body, I asked my colleagues to step cautiously in tampering with rights that have been enjoyed by the people of the United States for all of their history.

Many statistics have been put forth in the past month and a half to support this legislation, but as always statistics can be manipulated to strengthen the position of the individual. I offer my own statistics which reinforce my contention that this legislation will not deter criminals from using weapons in commission of crimes. These figures are taken from Federal Bureau of Investigation records. They show that while the supporters of this bill claim that these provisions will reduce crime, the misuse of firearms in crime has been covered by the Safe Streets and Crime Control Act of 1968.

These are the facts: I repeat, in 1966 there were 3,243,370 serious crimes—felonies—recorded by the law enforcement authorities in the United States. Firearms of some sort, including gangster weapons, zipguns, and fake guns, were involved in 3.4 percent of these crimes. Rifles and shotguns—the equipment of sportsmen, not criminals—were involved in less than one-half of 1 percent. Handguns were controlled by the Safe Streets Act. Sport firearms should not be covered by any act of the Congress; first because they do not constitute a problem in law enforcement and second, because controls of these guns would not affect the criminal.

This current proposal does not take firearms away from responsible individuals. Neither does it take firearms away from criminals. The firearms bill we are considering today only discourages private ownership by placing complications in the way of purchase. Disarming private citizens will not reduce crime. In fact, I am sure you will find the reverse to be true. Armed assailants will be more bold if they know a shopkeeper or homeowner does not have a weapon.

Those who make their living in crime are not worried about this legislation. I have a letter from a man who wrote to me from prison, identifying himself as a "professional criminal." This letter points out why this legislation will do more to discourage responsible firearms ownership than as a deterrent to crime.

These are direct quotes from that letler, the writer of which will remain anonymous: The emphasis was added by the writer.

Being a professional criminal, as the Bureau of Prisons too aptly points out, I can safely say then, that over 95% of all guns used by us criminals are "hot." They were either stolen or purchased from individuals who *stole* them!

Now, being very candid, can you imagine *anyone*, especially a *criminal*, using his own gun, legally purchased in his own name from a store or mail order house, to rob anyone or thing?

Well, it just isn't being done by us *pros!* (And very few amateurs)

We *know* that once we put a gun into our hands and intend to rob, we might just have to *use* that gun, and if we do have to use it, we don't keep it around as a souvenir. We get rid of it, fast and effectively. If by chance the gun is recovered later on, there is no way to trace the ownership or to relate it to our person at anytime!

It then holds true that the only people who are going to be really "affected" by this stupid, frantic and useless legislation are the "square Johns," themselves.

The only end this law would do is to create another illegitimate and profitable business in the sale and transportation of guns.

For instance, I can purchase a good used .357 magnum for $35, perhaps cheaper, never any higher out here on the coast. A S&W .38 police special—$20–$25. These quoted prices might double, triple or quadruple if this law were enacted—but price is very little deterrent for anyone who is in *need* of a gun.

Recently I have heard a comparison of the effectiveness of the income tax and gun laws. The argument was made that when the income tax was enacted many responsible people were saying that an income tax could never succeed because of the self-assessment features. That argument continues that while some people do evade the income tax, it is now a fairly well-enforced law. This type of reasoning supports my stand against gun controls. Income tax was not a workable program until the Federal Government went further and withheld the tax before the individual ever had it in his hand. If firearms restrictions are passed this year, I can picture in some not too distant Congress, the argument being made that since the firearms controls of 1968 were not effective in reducing crime, we should take guns away from all people and be sure they do not fall into the wrong hands.

Confiscation must be considered and cannot be discounted as an impossible end result of this type of legislation. We must know that when the Federal Government steps into the area of adjusting, reinterpreting, updating—what have you—a right explicitly given in the Bill of Rights, we have set a precedent which will not be easily recalled. Congress should not pass just any law and experiment with this touchy area. Instead, legislation should be drafted to control the criminal use of firearms, exempting the responsible citizen from the restrictions. After all, we are not trying to control the sports use or the protective use of guns by the good people of our Nation, are we?

Congress has exhibited an ability in many controversial issues to write laws that do not restrict privileges of the majority while controlling an unlawful minority. Surely, legislation can be written to reduce criminal use of weapons without prohibiting private possession of firearms. This bill should be voted down soundly and next year with time for reflective action and proper consideration, legislation can be presented to deal with the criminal element we are aiming at and missing with this proposal. A gun-control law should make a criminal shake at the aspect of taking a gun in hand to do wrong—this law does not.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. MACGREGOR].

The question was taken; and on a division (demanded by Mr. MACGREGOR) there were—ayes 57, noes 70.

Mr. SIKES. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. MACGREGOR and Mr. CORMAN.

The Committee again divided, and the tellers reported that there were—ayes 90, noes 99.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. HUNGATE

Mr. HUNGATE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HUNGATE: On Page 1, line 5, insert:

"PURPOSE

"The Congress hereby declares that the purpose of this title is to provide support to Federal, State, and local law enforcement officials in their fight against crime and violence, and it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trap shooting, target shooting, personal protection, or any other lawful activity, and that this title is not intended to discourage or eliminate the private ownership or use of firearms by law abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title."

Mr. HUNGATE. Mr. Chairman, this amendment, if the Members will examine the original bill they have, on page 4, beginning at lines 12 to 20, they will find this amendment by and large is simply an attempt to reinstate a purpose in this bill. I understand that it is traditional, perhaps on both sides of the aisle, in the Committee on the Judiciary not to have a purpose stated in their legislation. I believe this legislation is peculiarly different and evokes strong emotions on both sides of the question, and I thought it well that we do state in here what our purpose is.

As the Clerk has read, the amendment makes it clear that its purpose is to support Federal, State, and local law-enforcement officials in fighting crime and violence, and that it is not its purpose to place burdens on law-abiding citizens, hunters, trapshooters, and the like.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the distinguished gentleman from New York.

Mr. CELLER. I take it that the gentleman's amendment is a matter of a declaration of principle; is that correct?

Mr. HUNGATE. The gentleman is correct.

Mr. CELLER. It does not add anything substantive to the bill whatsoever?

Mr. HUNGATE. It would make no sub-

stantive change, Mr. Chairman. It simply states the purpose of the bill.

Mr. CELLER. It is the custom of the Committee on the Judiciary to strike from a bill words which are a mere declaration of a purpose of this sort.

Mr. HUNGATE. Mr. Chairman, as I believe I stated earlier, it is the custom of the Committee on the Judiciary, as I understand, to pass bills without stating a purpose.

Mr. CELLER. Your amendment would have no lawful effect?

Mr. HUNGATE. It would not.

Mr. CELLER. It is simply a pontifical declaration

Mr. HUNGATE. The gentleman elevates its effect above what I dare attribute to it. But I would hope that if the amendment passes that it would be a declaration to assist the courts in construing this legislation. That could be helpful.

Mr. HAYS. Mr. Chairman, if the gentleman will yield, did I understand the gentleman to say that it is his observation that the Committee on the Judiciary passes bills without a purpose?

Mr. HUNGATE. The committee customarily strikes purpose clauses.

Mr. HAYS. I just wanted to make the observation that I have noticed that, too.

Mr. HUNGATE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. ROSTENKOWSKI). The question is on the amendment offered by the gentleman from Missouri [Mr. HUNGATE].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MAC GREGOR

Mr. MACGREGOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MACGREGOR: On page 8, strike out line 24 and all that follows down through and including line 2 on page 9 and insert in lieu thereof the following: "(16) The term 'ammunition' shall include only ammunition for a destructive devise and pistol or revolver ammunition. It shall not include shotgun shells, metallic ammunition suitable for use only in rifles, or any .22 caliber rimfire ammunition."

Mr. MACGREGOR. Mr. Chairman, this is the second amendment in this series, and I trust it will be the last one.

For those of you who sincerely desire to discriminate between ammunition which is used for criminal purposes and ammunition designed exclusively for and used almost exclusively for hunting or sporting purposes—and if you further want to control ammunition for criminal purposes but leave free of controls ammunition used by hunters and sportsmen, this amendment No. 2 is your preferred amendment.

What does it do? It restates and clarifies the definition of ammunition now contained in the Federal Firearms Act.

If adopted, this amendment would control within the purview of this bill all ammunition for a destructive device including the .50-caliber machinegun ammunition that was referred to during the earlier discussion, together with all ammunition for pistols and revolvers.

It would exclude from coverage that ammunition designed exclusively for and used almost exclusively for sporting and hunting purposes.

To dramatize that statement, Mr. Chairman, I call your attention to the statistics of serious crimes committed in the District of Columbia with the aid of a weapon during the fiscal year 1967.

With respect to murder, 73 were committed with pistol or revolver ammunition; one with a rifle; and three with a shotgun.

If you want to control crime in this bill and not hobble the hunter, you will control pistol and revolver ammunition.

You will not control shotgun and rifle ammunition. Less than 2 percent—less than 2 percent of the murders committed in the District of Columbia and throughout the country with the aid of a weapon involved a rifle, and I want and we are going to control trade in rifles.

Less than 1 percent involved a shotgun. But a big group of homicides involved pistols and revolvers.

Let us now turn to the District of Columbia statistics on serious crimes committed with the aid of a weapon for the calendar year 1967:

Aggravated assault—with a revolver or pistol, 767; rifle, 35; shotgun, 58.

Again less than 2 percent of aggravated assaults in the District of Columbia in a recent typical year committed with the aid of a weapon involved the use of a shotgun. Only 1 percent involved a rifle but almost one-fourth a pistol or a revolver.

The statistics have an even more telling effect in the case of robberies committed in the District. A large percentage were committed with the aid of a pistol or a revolver.

Less than 1 percent combined were committed with a shotgun or a rifle.

Now this pattern is the case throughout the country.

So if you want to make a distinction between controls on criminal activities with the use of ammunition and controls on sporting ammunition, this is your instrument—this amendment that I have now offered.

But more important, I speak for a lot of grocery store operators and general store operators and filling station owners and other vendors in small towns who do not deal in firearms but who do handle ammunition as a service to people who are hunting in that area.

In normal distribution of ammunition, which I propose now to be excluded from the coverage of this act, ammunition is shipped in case lots through to jobbers and distributors and thence in part to outlets in rural areas who may purchase only a few boxes at a time of any given type.

Under this system, any one type of ammunition bearing the same code may be scattered from coast to coast and conversely all retail purchasers of a particular type from the same local dealer may get boxes having the same lot number. A further complication is that the moment any cartridge or shell is removed from a box its identity to a particular lot number is gone forever. In other words, the tracing of a box of ammunition of a certain code from a criminal even back to the retailer, let alone beyond, is not possible without considerable legal doubt.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CORMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have really been so persuaded by the arguments of the gentleman from Minnesota on this amendment, that is against his last amendment, that if we had no other purpose for defeating this amendment, it would be interesting to see what his next argument is going to be on amendment No. 3—as to why we ought to have killed No. 2.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman.

Mr. MACGREGOR. I do not think you are going to have that opportunity because I think I am going to win on this one.

Mr. CORMAN. I would hope not. I wish I had the gentleman's next speech because it is probably better than the one I am going to make as to why we ought to kill this pending amendment.

First of all, the gentleman talks about ammunition designed for criminals. Somehow we have some ammunition for criminals and other ammunition that is designed for nice folks—mostly hunters.

The fact of the matter is that ammunition which kills animals can also kill people. All we are trying to do is to make some reasonable distinction between people who might probably use it for wrong purposes, and say that all people have to buy ammunition across the counter so there can be some control on the part of the dealer to prevent people who are not qualified to buy ammunition from getting it. Now that is not very bad. The gentleman leads us to believe that he is so concerned about these little dealers and the mom and pop store. The fact is, this would probably be real fine for them because people will have to buy their ammunition from them. People will not be able to buy ammunition through the mail. If we defeat the gentleman's amendment, the mom and pop store will get a lot of business because people who are now buying ammunition through the mail will have to buy it over the counter from licensed dealers, and mom and pop can make a little profit on it. They will have to make a notation in a record as to whom they sell it to. That is not very onerous. What we are really talking about is there are some ammunition makers in this country who do a large mail-order business. They do a large mail-order business in guns and they do a large mail-order business in ammunition, and it looks as if they are going to lose that ability to sell guns through the mail. Now they are trying desperately to retain the business of selling shotgun shells through the mail, and things that kill birds and animals kill people.

We ought to set up some reasonable regulations for all ammunition so none will fall into the wrong hands. No one can say that this will prevent any possibility of people getting ammunition they ought not to get. But it will greatly diminish the opportunity of people who ought not to have lethal weapons of getting ammunition for their guns. I urge the defeat of this amendment and the next two amendments.

Mr. TENZER. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman.

Mr. TENZER. Mr. Chairman, I wish to point out that statistics in 1967 show that 1,815 rifles and shotguns caused homicides in the United States, and that some of these might have been prevented if it had been more difficult for the gun owners to obtain ammunition through the mail.

Mr. CORMAN. The gentleman is correct.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman.

Mr. REES. Is it true that the amendment offered by the gentleman from California would mean that you could ship .22-caliber shells through the mail?

Mr. CORMAN. I would yield to the gentleman from Minnesota to respond to that question.

Mr. MacGREGOR. The little guns used by the Boy Scouts, the YMCA, and similar groups—ammunition for such guns could still be sent through the mail under my amendment.

Mr. REES. I might say that 6 weeks ago in a Los Angeles hotel Senator Robert F. Kennedy was shot through the head and killed by a .22-caliber bullet. These were .22-caliber bullets that could go into a pistol or a rifle.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman.

Mr. BELL. I would also like to point out to the gentleman and to remind the House, that President Kennedy and Martin Luther King were both killed by rifles and not by revolvers. Snipers in city riot areas for the most part, used rifles and rifle ammunition. The exemption, therefore, of rifle and shotgun ammunition would seriously interfere with the effectiveness of this bill.

The gentleman might also point out that it is not going to be a tremendous problem or any great difficulty for anyone who deals in ammunition to go through the procedures of recording. Is this not true?

Mr. CORMAN. Every dealer must keep records for a number of reasons—for tax purposes, inventory purposes—and the only additional thing he must do is to ascertain first that the customer appears qualified to buy; second, to record his name and fragmentary information about him. That is the only imposition.

Mr. BELL. And that would not require any great amount of his time.

Mr. RAILSBACK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there are going to be some States that will probably decide that they want to regulate the sale of ammunition, and some States will want unquestionably to regulate the sale of .22-caliber bullets. Some will want to go as far as shotgun shells. Some will want to control .30-caliber ammunition. If we adopt this amendment, it seems to me it is going to have this effect—and bear in mind that many of us have been arguing that one of the major achievements of this bill is not only its impact upon interstate mail-order sales, but it is giving the States and the local governments the incentive to adopt whatever kinds of laws they feel are necessary within their confines.

What we are doing by the amendment offered by the gentleman is this: We are saying in respect to firearms, assuming that this bill passes, that we are going to help people by providing enforceability in respect to sales of long guns and handguns and certain kinds of ammunition, ammunition relating to destructive devices or ammunition relating to handguns such as pistols. But we still are not helping those States that want to regulate what they think may be part of a lethal process, namely, the use of rifle ammunition, because we say, "Go ahead and pass your State law in respect to controlling ammunition, but in this particular case, depending upon what kind of ammunition it is, we are not going to lend any enforceability."

So it would be perfectly possible under this bill, if the amendment offered by the gentleman is adopted, for a 10-year-old boy to order through the mail, by simply giving his name, a substantial quantity of ammunition that he could use in what amounts to a lethal firearm, even though laws of his State or his city may say he cannot purchase that kind of ammunition until he is 18 years old, or whatever the case may be.

It seems to me, Mr. Chairman, this could be a glaring loophole. It is destroying the best argument we have for passing this bill, which is that we are lending enforceability to the State and local governments and encouraging them to do something. After hearing statements from the people I mentioned earlier, from the Treasury Department, that when they checked out names and addresses given to some of the federally licensed dealers, when they tried to trace them by using the names and addresses given, approximately 40 percent came back marked "address unknown" or "no such person." I cannot prove all these firearms are being acquired by murderers, but it makes me wonder why these people are not giving their names to the registered dealers, when they deal through the mail. Why not give their correct names? Something must be wrong.

But if the gentleman is sincere—and I know the gentleman has two other amendments, one of which and the last of which I think deals with buckshot and would not interfere with ammunition that is used for skeetshooting and trapshooting. I urge him to agree to urging the adoption of that fourth amendment.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I yield to the gentleman from Virginia.

Mr. POFF. Mr. Chairman, I simply want to correct what I know the gentleman does not want to leave as an error in the RECORD. Contrary to what the gentleman just said, it would not be possible even for a licensee to ship through the State any ammunition, which would be in violation of the law—and I call the attention of the gentleman particularly to the language at the foot of page 13 and continuing in subsection (2) on page 14.

Mr. RAILSBACK. Mr. Chairman, is the gentleman aware that under the new definition of ammunition the things I am talking about would not be defined as ammunition? That is the problem.

Mr. POFF. The problem is, however, the word "ammunition," as it may be defined in the bill will be subject to the language to which I have just referred.

Mr. RAILSBACK. It is my understanding that the gentleman from Minnesota is amending the definition of ammunition to exclude particular types of ammunition. Maybe I am incorrect.

Mr. MacGREGOR. Mr. Chairman, here we have a classic example of a point I made earlier. The gentleman from Virginia [Mr. POFF], whom we all look to as a highly qualified legislator, knows the content of legislation and the meaning of words. The gentleman from Illinois [Mr. RAILSBACK] although serving his first term, has distinguished himself as a worthy associate of Mr. POFF in this body. They disagree. If ever there was an argument for holding hearings so as to know the effect of our legislative actions, these gentlemen have just provided it.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Under the amendment there would be excluded from the operation of the bill ammunition used for rifles and shotguns.

What are the facts with reference to shotguns and rifles? The gentleman from Minnesota gave us some figures concerning the District of Columbia. I should like to give some figures concerning the entire Nation.

As to crimes committed with rifles and shotguns: In 1967 there were 1,850 rifle and shotgun homicides. That is the record in this country. In 1966 there were 1,750 rifle and shotgun homicides. In 1965 there were 1,690 rifle and shotgun homicides. In 1964 there were 1,525 rifle and shotgun homicides. They went up from 1,525 in 1964 to 1,850 in 1967.

Nearly 30 percent of all homicides by firearms are committed with rifles and shotguns. We seek to control the ammunition used in those rifles and shotguns by the instant bill, yet the gentleman would take control over the ammunition out of this bill.

I read from the Senate report (S. Rept. No. 1866) of the 89th Congress, second session, the following:

The 30 percent figure—

Which I have spoken of—

does not always hold true in large metropolitan cities on the basis of the statistics on rifle and shotgun murders given to us by representatives from a number of urban areas. The percentage of rifle and shotgun murders is much higher in rural areas than in the cities, a fact which those who oppose their inclusion in the instant bill, S. 1592, have completely failed to acknowledge. The FBI statistics show that 52.8 percent of all rural murders are by rifles and shotguns.

Now, those are rather impressive figures. By this bill we seek to reduce those murders in rural areas as well as to reduce the murders in urban areas.

From 1960 to 1965 the police in 40 cities reported taking more than 50,000 rifles and shotguns from persons pos-

sessing them unlawfully; 805 rifles and shotguns were seized from juveniles; 1,210 rifles and shotguns were seized in murders; 2,908 rifles and shotguns were seized in robberies; 4,179 rifles and shotguns were seized in assaults; 37,165 rifles and shotguns were seized in illegal activities; 4,478 rifles and shotguns were seized in illegal weapon charges. This makes a total of 50,745.

Those are rather impressive figures, and they should have some very potent influence upon the gentleman from Minnesota. He disregards them, and would want ammunition which goes into those very lethal weapons freed from any control.

That ammunition for a shotgun or a revolver could be purchased by a youth 13 years of age, or 15 years of age.

Mr. MACGREGOR. Mr. Chairman, since the gentleman used my name, will the gentleman yield?

Mr. CELLER. It could be purchased by a mental defective. It could be purchased by a fugitive. It could be purchased by a convict. It could be purchased by a drug addict.

There would be no control over that kind of ammunition.

If you want to accept that, ladies and gentlemen, I can tell you, you are just "gutting" this bill, because one of the main purposes of the bill is to prevent the widespread use and the indiscriminate use of ammunition. This amendment would prevent us from achieving the purposes for which we have spent days and days in meditation and study on this bill, to get what we always have thought was a pretty decent, fair, well-rounded proposal.

Mr. MACGREGOR. Mr. Chairman will the gentleman yield?

We have not spent 1 day or 1 hour of hearings on ammunition control.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was interested in the dissertation on the part of the distinguished chairman of the Committee on nthe Judiciary with respect to the weapos used in homicides in rural areas. What weapons do they use, then, in the city of New York? Are they butcher knives or switchblade knives? What is the common weapon used in homicides in the city of New York?

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. MACGREGOR. I cannot respond to the question of the gentleman on the city of New York, but, with respect to the city of Washington, the figures are as follows: The most popular instrument used in homicides in the year 1967, which I am advised is a typical year, is the revolver or the pistol. I propose in this amendment to include the ammunition for the revolver or the pistol in the strict code in this bill. Now, here are some more popular weapons than rifles and shotguns. Fists are three times as popular. Hands. Iron pipes. Knives. Sharp instruments. These are all weapons that are used according to the statistics of the District of Columbia government.

Mr. GROSS. I wonder if we are not at the point, speaking of crime and firearms, of also registering butcher knives, switchblade knives, and other death-dealing weapons, which are apparently used in the cities.

I would like to inquire as to whether pellet ammunition is covered in this bill?

Mr. MACGREGOR. Will the gentleman yield?

Mr. GROSS. Yes. I yield to the gentleman.

Mr. MACGREGOR. You will find in the report, with a careful reading, which I know the gentleman has done, a definition of ammunition which states pellets and buckshot are excluded from coverage by the bill as it is now drafted by the committee. Buckshot includes lethal loads up to one-quarter of an inch in diameter. You can find this in the definition of the bill as approved by the Committee on the Judiciary without any restrictions at all.

Mr. GROSS. I will say to the gun experts on the Committee on the Judiciary—and I am not a gun expert—that certain guns, firing pellets, can do as much damage as a .22-caliber bullet. An air rifle, using compressed air and a pellet of approximately .22 caliber can kill you deader than a doornail. Does anyone on this expert committee on weapons dispute that? That being true, why did the committee not bring pellet ammunition under the purview of this bill?

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. CORMAN. I thank the gentleman for yielding.

Of course, I first disqualify myself as a gun expert, but I would say in answer to the first question of the gentleman's as to what kind of guns people use, in every instance they have one thing in common, that is, they are available. We are trying to make them less available to the people who are most apt to misuse them.

Mr. GROSS. Does not the gentleman think that air rifles of all types are also easily available and for sale to the public? Some of them are lethal weapons, and I speak of the pump up and compressed air type. That is a weapon which apparently you have not even touched in this bill.

Mr. CORMAN. Will the gentleman yield further?

Mr. GROSS. I yield to the gentleman.

Mr. CORMAN. That was my answer to his first question. There were several other questions that I could not answer. I must say we did discuss the advisability of including weapons that do not rely on an explosive for coverage in this bill. We thought we had gone about as far as we should go with this bill. The reason we permit the shipment of pellets and not explosives is because explosives are a necessary part of weapons that are far and away the most often used in illegal conduct. However, there is no question but that there are lots of kinds of other lethal devices.

Mr. GROSS. In other words, the gentleman is saying today that in this case the committee yielded to expediency. Apparently the committee did not want to add something to it that would invade the area of fun and sport for youngsters even though certain air rifles may be deadly.

Mr. CORMAN. I would say to the able gentleman that I have noted no one carrying a flag for the compressed air rifle manufacturers. Many have for the shotgun shell manufacturers.

Mr. BIESTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like if at all possible to clarify the problem which was raised in the colloquy between the gentleman from Virginia [Mr. POFF], the gentleman from Illinois, and the gentleman from Minnesota with respect to the definition of ammunition and the effect of the definition upon State laws.

Mr. Chairman, if I may refer to page 14 of the bill, line 8, there is provided the following:

(2) any firearm or ammunition to any person in any State where the purchase or possession by such person of such firearm or ammunition would be in violation of any State or local law applicable to the place of sale, delivery, or other disposition, unless the licensee knows or has reasonable *cause* to believe that the purchase or possession would be in violation of such State or local law.

Mr. Chairman, the bill before us defines the word "ammunition" as including all ammunition, except pellets and, therefore, there was no problem concerning any distinction which might be drawn between State, local, and Federal law with respect to which was or was not ammunition.

Mr. Chairman, if the amendment which has been offered by the distinguished gentleman from Minnesota [Mr. MACGREGOR] is adopted, there could be many differences as to the definition of the word "ammunition." If so, the Federal law would obtain with respect to this limitation. If the Federal law were narrower in scope, then the State law could be subverted by interstate traffic.

Also, with respect to accessibility, if a lad 12 years of age came in and bought it, then he must come face to face with the dealer and the dealer knows that he is a minor. If he tries to buy by mail, there is no face-to-face confrontation and the enforcement of the provisions thereof is a great deal more difficult.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. BIESTER. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. I am sure the gentleman knows that it is not my purpose to subvert any State law, particularly the law which will soon go into effect in the State of Illinois. It is my purpose by offering these amendments to, No. 1, give the House of Representatives an opportunity to at least give some cursory consideration to what it is we propose to do here and, secondly, to maintain the existing law, the Federal Firearms Act, which is now in effect. But with respect to control over ammunition not covered by existing law, we should begin next January in the Committee on the Judiciary to conduct hearings in order to come to some reasoned conclusion with respect to controls over shotgun and small rifle ammunition.

Mr. MIZE. Mr. Chairman, will the gentleman yield?

Mr. BIESTER. I yield to the gentleman from Kansas.

Mr. MIZE. Take, for instance, the "mom and pop" grocery store. They still get a license to sell shotgun shells and .22 ammunition, for instance, and further suppose somebody goes in to buy a box of shotgun shells, he would have to have a driver's license or something to show to them as identification that he is a resident of the State but the dealer must take this person's name down and report the type of ammunition he bought?

Mr. MACGREGOR. Mr. Chairman, if the gentleman from Pennsylvania will yield further, that is correct.

Mr. MIZE. What is he going to with that information?

Mr. BIESTER. That is a matter up to the Secretary to require both an inspection of the records and require the submission of those records—not Federal—but he must maintain them for a period of 10 years.

Mr. MIZE. Suppose a hunter to whom they sell this ammunition turns out to be an alcoholic, what kind of penalty will they be subjected to?

Mr. BIESTER. No penalty; unless the dealer had reason to believe that the man was an alcoholic, there would be no penalty.

However, if there was not the face-to-face confrontation; yes, there might very well be a penalty.

Mr. RODINO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in my State of New Jersey, we have enacted what we consider to be a rather effective gun control law, and I would hope to see that law effectively implemented by the present bill.

I would like to point out, however, to the gentleman from Minnesota for whom I have the highest regard, that I would be rather concerned if we adopted his amendment because the net effect of such an amendment would be to render ineffective our State law. Statistics show that in the State of New Jersey during the 22-month period between 1966 and 1968, State and local police approved 94,221 rifle and shotgun identification cards and pistol permits.

On the other hand, criminal records were determined in approximately 7 percent of all the applications which were filed and 1,659 applications were denied. The denials were on account of criminal records, including such offenses as first degree murder, rape, burglary, breaking and entering, lewdness, and sex crimes of various types.

I would like to know if these people with criminal records who presented applications and were denied, later came into possession of a weapon, and there have been indications that they could come into possession of guns by getting them through mail-order houses, then what is going to keep some of these people from getting the ammunition which they could use in these guns, and commit murder or other acts violence. Under the gentleman's amendment these same people could easily get ammunition without any control or regulation.

According to a statement made by Arthur J. Sills, attorney general of the State of New Jersey, a survey of mail-order gun recipients in New Jersey showed that 40 percent were persons without permits—which New Jersey law requires—and in 44 percent of those cases the person had a prior criminal record.

I believe that an amendment such as is offered by the gentleman from Minnesota would certainly shoot a lot of holes in our New Jersey law by making it easy for anyone with a criminal record to get ammunition for his gun.

Mr. Chairman, I hope this amendment is rejected.

Mr. POFF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I shall not use the full 5 minutes.

I believe I can demonstrate that there is very little difference among those of us who have participated in the colloquy concerning the amendment offered by the gentleman from Minnesota. The fact that there are differences between the Federal definition of ammunition and State definitions of ammunition will not have the effect of subverting or nullifying the State laws with respect to ammunition. On the contrary, there is no preemption clause but rather a nonpreemption clause in this legislation, and State statutes will continue in full force and effect. It will continue to be a violation of State law to sell ammunition which is proscribed by the State law. It will still be a violation of Federal law to ship into a State any ammunition as defined by Federal law which is also proscribed by State law. To the extent that differences exist between the two definitions, the shipment may be innocent under Federal law, but if guilty under State law, the State law will remain able to vindicate itself.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. I thank the gentleman for yielding, and for his response to the comments of the gentleman from Pennsylvania [Mr. BIESTER] and the gentleman from New Jersey [Mr. RODINO].

In response to a question that has been asked of me, Members should know before voting on this amendment that existing regulations of the Internal Revenue Service say that any rifle ammunition capable of being fired from a pistol is pistol ammunition. So if you vote for my amendment you are voting not only for strict controls on pistol and revolver ammunition, but also on rifle ammunition that is capable of being fired through a pistol.

One final word, Mr. Chairman: I find that there are already conflicting regulations covering ammunition. The Hazardous Substance Labeling Act administered by the Food and Drug Administration has issued regulations covering shotgun ammunition that are in conflict with the regulations issued under the Truth in Packaging Act by the Federal Trade Commission. If you reject my amendment you will be compounding the regulation conflict.

This is a problem which obviously needs to be worked out. This is the sort of thing that hearings would disclose so that we could deal with this situation intelligently.

Mr. RAILSBACK. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman.

Mr. RAILSBACK. I just want to say that apparently there is disagreement as to what the effect of the gentleman's amendment would be. It is my strong conviction that what we are doing here by the bill is making it an offense for a Federal dealer to ship either firearms or ammunition, as defined under this bill, into a particular State in violation of a particular State law.

Although a recipient within that State ordering ammunition through the mail from a Federal dealer may be in violation of State law and may be subject to prosecution, I do not think the State can control an out-of-State licensed dealer.

That is what we are trying to do here. It is only an offense for a Federal licensed dealer to ship into another State firearms or ammunition as defined in this bill. We are changing the definition of ammunition so as to exclude most long gun ammunition.

Mr. TENZER. Mr. Chairman, will the gentleman yield for a question so as to correct the RECORD at this point?

Mr. POFF. I yield to the gentleman.

Mr. TENZER. Is it not a fact that your amendment would exclude from the definition of ammunition .22-caliber ammunition?

Mr. MACGREGOR. Yes; it would

Mr. TENZER. Is it not a fact that the ammunition that was fired from the gun that killed Senator Kennedy was .22-caliber ammunition?

Mr. MACGREGOR. Yes; but I do not believe that by legislation we can eliminate the tragic incidents of homicide. I think we can reduce them and I want to reduce them and I am for this bill and I profoundly wish that will prove to be its effect. But I do not think even the proponents of total ammunition control claim that if the bill is passed as it reads now that in fact it is going to prevent all homicides.

Mr. TENZER. We do not claim that, but if we can save one life by this bill, we might be saving the entire world.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman.

Mr. CASEY. Is it not true that if this amendment is adopted, the "Mom and Pop" store would not have to be a Federal licensee? That if it is not adopted, they will have to be licensed to sell ammunition.

Mr. MACGREGOR. The answer to the gentleman's question is "Yes."

Mr. BINGHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I will not take the full 5 minutes, but I would like to draw attention to what has transpired in the colloquy between my colleague, the gentleman from New York [Mr. TENZER], and the gentleman from Minnesota.

The gentleman from Minnesota has been emphasizing that his amendment does not apply to pistol ammunition and that pistol ammunition is going to be covered by the bill. But he has now admitted that pistol ammunition that happens to be .22 caliber is going to be covered by his amendment and excluded from coverage by the bill.

I would also like to call the Members'

attention to the committee amendment which we adopted and which appears on page 18 of the committee print. Under that amendment, the sale of ammunition to certain types of persons is made unlawful. Thus, anyone who votes for the pending amendment is saying that a fugitive from justice can lawfully buy .22-caliber ammunition or rifle ammunition. He is voting to say that drug addicts can lawfully buy rifle ammunition, that a man who is under indictment for a crime or who has been convicted of a crime can lawfully buy rifle ammunition.

I fail to understand how anyone could vote for such an amendment.

Mr. CELLER. Will the gentleman yield?

Mr. BINGHAM. I am glad to yield to the chairman.

Mr. CELLER. The record shows that 747,000 pistols and revolvers were imported last year, and it was indicated that the ammunition used in a substantial number of those 747,000 pistols and revolvers were .22-caliber rimfire ammunition. Such ammunition would be excluded from the coverage of the bill under the amendment proposed by the gentleman from Minnesota [Mr. MACGREGOR].

Mr. ANDREWS of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I yield.

Mr. ANDREWS of North Dakota. Mr. Chairman, I think that, getting into all this legal definition lost us farmers someplace back. To put it in everyday language, is it not true that if the amendment proposed by the gentleman from Minnesota is not adopted, on my farm when we get a rat or a skunk in the granary, my 16-year-old son could not go to the local hardware store in Mapleton and buy a box of .22-caliber shells to go out and shoot that skunk or rat?

Mr. BINGHAM. I yield to the gentleman from California [Mr. CORMAN] to reply.

Mr. CORMAN. Such a sale would be covered by the bill.

Mr. MACGREGOR. Of course, it is true that the principal weapon, as the gentleman knows, being a farmer and having a 16-year-old son, the principal weapon used to kill rats on farms is the rimfire .22. It is the plinking ammunition that is used against rats.

Mr. ANDREWS of North Dakota. It certainly would be ridiculous to prohibit a farmboy from buying shells in his local store to shoot a rodent in his own granary. This shows how radical and broad the coverage of this legislation would be and why I oppose it in its present form.

I support the amendment of the gentleman from Minnesota [Mr. MACGREGOR].

Mr. BINGHAM. Mr. Chairman, I decline to yield further.

I think it is clear that there is nothing to prevent a 16-year-old boy from using the family .22-caliber gun to kill rats and he would have a right to do so.

Mr. CORMAN. Under this bill, it keeps an 18-year-old from buying ammunition.

Mr. BINGHAM. But that does not prevent him from using it under the supervision of his parents.

Mr. CORMAN. That is correct.

Mr. BINGHAM. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. MACGREGOR and Mr. CORMAN.

The Committee divided, and the tellers reported that there were—ayes 82, noes 77.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. HUNGATE

Mr. HUNGATE. Mr. Chairman, I offered an amendment.

The Clerk read as follows:

Amendment offered by Mr. HUNGATE: On page 11, line 5, add: "and this paragraph shall not be held to preclude an individual from mailing a firearm owned in compliance with Federal, State, and local law to a licensed importer, licensed manufacturer, or licensed dealer for the sole purpose of repair or customizing."

Mr. HUNGATE. Mr. Chairman, on page 11 of this bill, at line 5, my amendment would simply add the following language:

And this paragraph shall not be held to preclude an individual from mailing a firearm owned in compliance with Federal, State, and local law to a licensed importer, licensed manufacturer, or licensed dealer for the sole purpose of repair or customizing.

As I understand this legislation in its present form, that paragraph (A) on page 11 would permit a licensed manufacturer or importer, or so on, to return a firearm to someone who is having it repaired, but I saw nothing in the legislation which would permit mailing for that purpose.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. Mr. Chairman, I yield to the gentleman from New York.

Mr. CELLER. Mr. Chairman, there is nothing in the act we have here that would preclude what the gentleman's amendment purports to do. There is nothing that prevents anyone from sending to a dealer or any licensee a gun with the purpose of having it repaired or customized. So if the proposed bill contains no language prohibiting the action that the gentleman speaks of, there is no need for the amendment offered by the gentleman.

Mr. HUNGATE. Mr. Chairman, it would seem to me that in dealing with the subject of restrictions on mailing firearms, we must be careful to make clear we do not restrict an owner mailing in a gun for repair or customizing.

Mr. CELLER. In other words, the gentleman can do exactly without the amendment what the amendment says he can do.

Mr. HUNGATE. Mr. Chairman, I thank the chairman of the committee.

May I inquire of the ranking minority Member, or the Member at the table, if this is their understanding. May I ask the gentleman from Illinois [Mr. RAILSBACK] would it be his understanding that there is nothing in this current legislation that would prohibit a man who owns a rifle or a shotgun or firearm, if he wishes to do so, from mailing it in for the purpose of repair, or, if there is some gentleman who would like to send it in, to have it customized? It may be a new gun. Is it the opinion of the gentleman there is nothing in this bill that would prevent this?

Mr. CELLER. Mr. Chairman, if the gentleman will yield further, if the gentleman insists upon his amendment, since it does not add or subtract anything, I am willing to accept it.

Mr. HUNGATE. Mr. Chairman, is that the opinion of the gentleman from Illinois?

Mr. RAILSBACK. Mr. Chairman, we have no objection to the amendment.

Mr. DOWDY. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Texas.

Mr. DOWDY. Mr. Chairman, I had an almost identical amendment prepared for offering, and I join in the amendment offered by the gentleman from Missouri.

Mr. Chairman, the fact that it is necessary to offer this amendment points up again the result of bringing a complicated bill from a committee without hearings, and without giving it the careful consideration by committee as is deserved before reporting a bill of such far-reaching consequence.

The paragraph which I seek to amend provides that a firearm or replacement firearm may be returned by a licensed importer, manufacturer or dealer to the person from which it was received, but there is no provision in the bill which would permit that person to lawfully send it to the licensed importer, manufacturer or dealer in the first place.

The sole purpose of this amendment is to make it possible for a person to lawfully return a defective firearm to the licensed importer, manufacturer or dealer for the purpose of repair or replacement. Surely there can be no objection to such a provision in this bill, and I urge its adoption.

Mr. HUNGATE. Mr. Chairman, I know the gentleman is well acquainted with this legislation. I welcome his support.

Mr. KING of New York. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. Mr. Chairman, I yield to the gentleman from New York [Mr. KING].

Mr. KING of New York. Mr. Chairman, I assure the gentleman I support his amendment. I had intended to offer a similar amendment.

Mr. Chairman, I had prepared an amendment to line 4 on page 11 in which I sought to insert after firearm the words "repaired or remodeled firearm." I find that the language of the gentleman from Missouri is superior to the language I had selected, and I, therefore, urge the committee to adopt that language. It is apparent now from the concession made by the chairman, the gentleman from New York [Mr. CELLER], that firearms repaired or customized by gunsmiths may be sent to out-of-State residents if those guns are sent to such gunsmith for repairs or customizing in the first instance. I have a number of

gunsmiths in my district who otherwise might be put out of business by the language of the bill if not amended. We want to be sure that persons who make barrels, stocks, and so forth, are not in violation of the statute and that they may ply their trade without fear of violation of the law. It is clear, therefore, that persons engaged in custom gunsmithing or repairs or remodeling of firearms may return firearms or replacement firearms of the same kind or type to persons from whom they were received.

I thank the gentleman from New York, the distinguished chairman of the committee, for his concession in accepting the amendment of the gentleman from Missouri and also the distinguished gentleman from Illinois [Mr. RAILSBACK] for conceding and accepting the amendment on the part of the minority.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. HUNGATE].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HORTON

Mr. HORTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HORTON: On page 30, beginning in line 17 strike out "and in the case of surplus" and all that follows in line 18 and insert in lieu thereof the following: "excluding surplus military firearms; or".

Mr. HORTON. Mr. Chairman, my amendment has reference to section 925 (d) (3). This subsection gives the Secretary authority to permit the importation of certain types of firearms or ammunition, and then it lists the specific types that he can permit to be imported.

Subsection (3) allows the importation of those firearms not coming within the purview of section 5848(1) of the Internal Revenue Code, which are suitable for sporting purposes, and includes as allowable, surplus military shotguns and rifles.

In other words the Secretary, under the provisions of the committee bill, is permitted to authorize the importation of surplus military long guns.

It is my judgment that a central purpose of the committee bill is to prohibit the mail-order purchase of long guns, so it seems to me we should prohibit the importation of long guns.

Mr. Chairman, this bill imposes needed curbs on firearms imports—but it does not go far enough. I cannot agree with the exception of rifles and shotguns from the vast stock of foreign military surplus weapons.

My amendment to the firearms control measure now before us would end the flow of foreign military surplus guns into the United States. This amendment would cut off a major source of weapons available to criminals.

Statistics on weapons import are staggering. From January through May of this year alone, a half-million rifles, shotguns and pistols were imported into this country. The dollar value of these imported weapons, in addition to over-under combinations, revolvers, flareguns, harpoon guns, gun barrels and parts amounted to $12.9 million.

In May alone, 78,000 pistols and revolvers were imported, valued at over $1 million. For the 5-month period 292,000 handguns came in legally, worth $3.98 million. The flow of these foreign made handguns is effectively curbed by the committee bill. But the bill would allow foreign military rifles and shotguns into the country. In May, a large portion of the 32,112 foreign long guns imported fell into the category of foreign military surplus. Long gun imports during the month of May alone were worth $388,000.

I do not have to remind any Member of this body that the late President Kennedy was killed with a $14 Italian military rifle. H.R. 17735 would effectively prevent the mail-order of such a gun. Why should we not take the further step of preventing its importation?

The people of this country can ill afford the arsenal which is legally flowing across our borders. Without stiff import controls that are strictly enforced, weapons which are even now illegal to import will continue to trickle in.

Just last week, police officials in my district discovered an operable .30-caliber machinegun and the housing of a .50-caliber machinegun in a deserted cabin. Both guns had been made in Japan. Only a few parts would have been needed to convert the .50-caliber housing into a lethal automatic weapon. The fact that such weapons are at large in this country is reprehensible. Only by tight enforcement of effective import controls, such as those proposed in this bill and in my amendment, can we hope to halt the influx of guns which have obvious suitability for crime. These machineguns, like foreign surplus military weapons, can have no legitimate purpose recreational or otherwise. If our laws prohibit the import of machineguns because of their obvious criminal potential, then foreign surplus long guns should be subjected to similar curbs.

Mr. Chairman, I implore our colleagues to recognize the seriousness of this loophole in the committee bill, and to support my amendment to close this loophole.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. HORTON. I am glad to yield to the gentleman from California.

Mr. CORMAN. We have discussed this on both sides of the aisle, and the Committee is willing to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. HORTON].

Mr. DINGELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment is really quite simple. It does mandatorily what the Secretary is permitted to do under existing law.

Under the Mutual Security Act as amended, the Secretary of State and the Secretary of the Treasury now regulate in their entirety, issue permits for the importation of, exclude the importation of, foreign military weapons brought in as military surplus. They have, under existing law, the broadest possible discretion to permit the importation of or to deny the importation of such surplus military weapons.

They have also something else. They have the power to determine who shall so do. They also have the power to determine under what circumstances an individual may import military surplus hardware.

In other words, the Secretary now has the broadest possible control. He may, if he so chooses, exclude in its entirety the importation of all weapons of this kind. He may exclude a particular batch. He may exclude a particular weapon or a particular class or category of weapon.

This bill says that no longer may military surplus handguns be imported, but it does not change this broad discretionary power to exclude individual weapons, particular weapons or classes of weapons, or particular shipments, or the importation by certain classes of persons or by certain individuals.

The Secretary now has the broadest imaginable authority to control this. If we have already vested in the Secretary this broad authority and if he has the capability of using it well—I am not certain he does—then let us permit him to use his authority. Let us permit him to carry out the responsibility he has under existing law.

Let us look at the kinds of weapons involved. Many of these are weapons of very high quality. Many of these are avidly sought by collectors. Many of these are used by persons with low incomes to build themselves the only hunting rifle they might have. Many of these are weapons of particular value for rebuilding. Many are used by American gunsmiths to build weapons of great value, of great beauty, and of great utility to large numbers of people.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Florida.

Mr. SIKES. My distinguished friend is saying, and saying well, the matter is completely covered by existing law. It is being adequately enforced, and there is no justification whatever for this complete prohibition which is proposed under the pending amendment.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Iowa.

Mr. GROSS. Where do we stand? The amendment says that one Secretary must do one thing, and, without having touched the basic law, apparently mandates another Secretary.

Mr. DINGELL. What this amendment says is that we are not going to trust the Secretary of State to control the importation of these weapons, in consultation with the Secretary of the Treasury and the Attorney General. It says instead that we will prohibit, without hearing or committee proceedings, the importation of military surplus weapons, now allowed into this country only under permit and rigid control.

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the amendment of the gentleman from New York [Mr. HORTON].

Mr. Chairman and members of the Committee, I am struck by the fact that

the gentleman from Michigan and the gentleman from Florida, neither of whose motives I question, are so completely confident of their assertion that the existing law will give us all of the protection which the members of the Committee say it will not; and which the distinguished Members of the House who have studied this question say it will not. Incidentally, the members of the Committee have no formal association with the National Rifle Association, as does the gentleman from Michigan. If, in fact, those safeguards exist, it would occur to me that the arguments of the gentleman from Michigan are redundant. If they exist, perhaps we should duplicate them.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Illinois.

Mr. YATES. As a matter of fact, I had occasion a few weeks ago to check into this matter and offered an amendment on the floor of the House which sought to restrict the importation of foreign military surplus. I checked with the Internal Revenue Service at that time, which is the agency of the Treasury Department controlling this flow, and I was told by the Internal Revenue Service that they are not certain that they do have the right to prevent the importation of such weapons and they seek to do it now through regulation. They are not sure they have that right under the law.

Mr. THOMPSON of New Jersey. The gentleman is quite correct. Also, something which is implicit in this whole discussion and which, of course, is not in the possession or the knowledge of any of us, are the activities of the enormous gun supply agency in Alexandria, Va. We cannot tell, because we are not in the possession of certain classified information from the CIA or otherwise, as to what exists there and where it goes and to whom and at what price; and when it returns. I know, having lived over there during congressional sessions for a number of years, that there was an enormous anxiety and a real one about the existence of any number of World War I handgrenades which are extremely volatile. It is a fact that one can now purchase anything from a hand gun to a howitzer in Alexandria. The gentleman from Michigan is ecstatic in his description of beautiful weapons. I am not against beautiful weapons or people owning them, but I think they ought to be plugged or else there should be no ammunition for them. The fact that you do not have a bullet to put in the weapon with which to take a life, whether it be of an animal or a human being, does not diminish in the slightest the exquisite handwork of the weapon. I am all for beautiful weapons. I simply want to know who has them and to keep them out of the hands of maniacs. Legitimate hunters need have no fear of this amendment.

Mr. TENZER. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. Yes. I yield to the gentleman.

Mr. TENZER. There was recently a handgrenade installed in an automobile of the county executive in Nassau County. This was attached to the heater. When the car would start up and the heat would go on and he switched it off, that handgrenade would have gone off.

Mr. THOMPSON of New Jersey. Of course, nobody described a handgrenade as being beautiful, but in the case you describe it was horrible. The gentleman from Michigan says that some guns are beautiful, and I concede that they are. But they are also dangerous. This is perfectly reasonable legislation. Despite all of the sportsmen and the National Rifle Association and its directors, of which the gentleman from Michigan, Representative DINGELL is one, the fact of the matter is that this is an absolutely essential amendment and should be enacted.

Mr. TENZER. Mr. Chairman, will the gentleman yield further?

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. TENZER. A handgrenade is not used for hunting.

Mr. THOMPSON of New Jersey. Not usually, of course, but for hunting Mr. Nickerson in this case, I assume.

Mr. TENZER. Yes.

Mr. HORTON. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. HORTON. I want to thank the gentleman for his comments and also point out to the membership that the purpose of this amendment was to remove the permission given to the Secretary by the committee bill specifically to permit importation in the case of surplus military firearms, being rifles and shotguns.

Mr. THOMPSON of New Jersey. The gentleman from New York is quite correct. We have discussed his amendment at length and I am in his debt for the great amount of work which he has put into it. The gentleman's amendment will in no circumstance deprive a legitimate person ownership of a gun.

Mr. HORTON. I think it is a very important amendment.

Mr. THOMPSON of New Jersey. I do, too, and I would like to hear some statistics from these proponents of these great, gorgeous gun lovers—I would like to hear some statistics as to what goes on in Alexandria, Va., on Dock Street where they have thousands and thousands of weapons in storage. It is my understanding that the gentleman from New York [Mr. HORTON] will insert in the RECORD statistics which we have discussed for some time. Mr. Chairman, I urge the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. HORTON].

The question was taken; and on a division (demanded by Mr. HORTON) there were—ayes 43, noes 43.

Mr. HORTON. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. HORTON and Mr. DINGELL.

The Committee again divided, and the tellers reported that there were—ayes 65, noes 62.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY: On page 12, line 3, between the word "State" and the colon, insert, "except for temporary use for sporting purposes";

On page 12, line 23, after the word "deliver", insert "except for temporary use for sporting purposes";

On page 14, line 1, after the word "ammunition", insert "except for temporary use for sporting purposes";

On page 14, line 16, after the word "firearm", insert "except for temporary use for sporting purposes";

On page 15, line 8, after the word "ammunition", insert "except for temporary use for sporting purposes"; and

On page 20, after line 8, add a new subsection:

"(m) The phrase 'temporary use for sporting purposes' as used in this section means the temporary use or possession of a firearm or ammunition while engaged in, going to, or returning from a legal hunting, trap shooting or other sporting activity involving the use of firearms or ammunition or both."

Mr. DOWDY. Mr. Chairman, prefacing my remarks on this amendment, I have heard the proponents of this antigun bill that it is not their intention to bar a hunter or sportsman to carry his guns and ammunition to another State for use in his sports activities; but when I tendered this amendment in committee, I do not recall any such disclaimer; there, the argument was made that this exception should not be incorporated, because it would "weaken" the bill.

But that is all beside the point. There are definite rules which the courts follow in the construction and interpretation of a legislative enactment. The rule that is important here is that the Court, in construing a statute, will confine its consideration to the four corners of the statute, and if the words are clear, no ambiguity, the Court will assume that the legislature or the Congress meant what it said in enacting the statute. The Court will not reach for the intent of the legislature or the intent of the Congress that enacted a statute under those circumstances, on the assumption, whether justified or not, that the legislators had the intelligence to know what they were doing, and to enact what they intended.

In this bill, the words are clear; there is no ambiguity to cause a Court to look to the intent of Congress in construing its effect. There is no exception for the hunter or sportsman. The words are very plain, and not subject to construction, from outside its four corners. The words of the bill, as written, may be construed to prohibit the transfer or delivery of a firearm between hunting or shooting companions who happen to reside in different States, and this even though the use of the weapon were confined to a brief period of time when the firearm or ammunition might be in full view of the owner at all times.

This is an obvious fault in the wording of the law, which must be corrected wherever the transfer or delivery of firearms and ammunition are prohibited in the language of the bill. In passing far-reaching legislation, as this is, great caution must be exercised to avoid legislative overkill, that will result in making technical lawbreakers of good citizens.

Under the bill, as written, the law would prohibit the type of game hunts wherein a part of the guide's business is

to supply hunting rifles or shotguns and ammunition to his out-of-State customers. This prohibition appears in the paragraph beginning on line 21, of page 12 of the bill.

Apparently this would also prohibit the operation of shooting galleries enjoyed by out-of-State visitors. Even charitable "turkey shoots" could run afoul of this law, if the patronage of out-of-State visitors were involved.

My amendment should be adopted, and certainly it would in nowise weaken the bill, but would only make clear what has been stated during this debate to be the intent of Congress.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman.

Mr. EDMONDSON. Mr. Chairman, I think the gentleman has offered a good amendment and I rise in support of it.

Mr. Chairman, I will vote against the firearms control bill which is before us, and I believe it should be recommitted to the Committee on the Judiciary.

While recognizing the merits of legislation to ban mail-order sale of firearms—an area over which there can be no doubt about Federal jurisdiction—I believe this bill goes well beyond that area.

The bill asserts Federal jurisdiction in several fields which I personally believe should remain in State or local hands.

The bill undoubtedly opens the door to Federal licensing and registration.

While its principal sponsors state they do not intend to use the bill as a vehicle to secure Federal licensing provisions, the passage of the measure in its present form will undoubtedly increase the likelihood of enactment of such a licensing bill—which could easily be the product of a Senate-House conference.

I am completely opposed to Federal controls in the field of firearms licensing and registration.

I regret that no hearings were held in the Judiciary Committee on H.R. 17735 prior to its approval by the committee less than 2 weeks after its introduction.

This is a subject on which millions of Americans feel strongly, and on which careful hearings should precede any committee's action.

I hope the bill will be recommitted to permit such hearings in advance of any further consideration by the Congress.

Mr. CORMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, within the time that we have had to look at this amendment, I must say it appears to destroy much of the bill. It looks as if it repeals all of the bill except the prohibition of mail orders. purchase a weapon over the counter if he indicates that it is for a legitimate sporting purpose.

That clearly and effectively would repeal the restrictions as to minors. It would repeal the restrictions on one going outside of his State to purchase a weapon because all he has to tell the dealer is that he is buying it for a legitimate purpose.

Clearly this would take away from the States any meaningful ability to regulate the ownership or transfer of weapons.

A vote in support of this amendment is merely a vote to do away with the major portions of this bill.

Mr. Chairman, I urge that the amendment be defeated.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from New York.

Mr. CELLER. The amendment seems to imply that if a man or if a minor wants to purchase a gun, he would simply say to the dealer, I am going to use this for temporary or sporting purposes.

How could a dealer prove otherwise? What evidence would one have to show that he is going to use it for temporary and/or sporting purposes?

Mr. CORMAN. The gentleman is completely correct.

The whole philosophy of this bill is that there is going to be some regulation based on the conduct of the licensee—the dealer.

We all know that you cannot just by looking at a person tell whether he is going to use his gun to shoot ducks or to shoot people. But there are certain kinds of people who ought to be prevented from buying guns, and you are placing some ability on the part of the dealer and some responsibility on the part of the dealer to make the decision as whether a prospective buyer falls within the prohibited categories.

Mr. CELLER. Is it not true also that any youth under the age of 18—youth of maybe 13 or 14 or 16 years of age could get a gun if he says he is going to use it for temporary or sporting purposes?

Mr. CORMAN. Under the proposed amendment, a 4-year-old boy could say he was going hunting and the dealer would be authorized to sell him the gun.

Mr. MIZE. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman.

Mr. MIZE. Was the accused killer of Senator Kennedy a citizen of the State of California?

Mr. CORMAN. My information is that he was not. But I do not know for certain.

Mr. MIZE. Let us assume that he was. He had no previous criminal record and could he not, under the bill, have gone to a sporting goods store in Pasadena, let us say, and show his driver's license, that he possibly had, or other evidence that he was a citizen of California and of age and say he wanted to purchase a .22-caliber revolver for target practice?

Mr. CORMAN. I will have to confess I do not know the local ordinance in Pasadena. I do know the purpose of this bill, and it is to put the States in a position to regulate the ownership and transfer of guns, if that is the decision that the State legislature has made.

Mr. MIZE. But it would put the responsibility of deciding whether or not to sell the gun on a sporting-goods salesman.

Mr. CORMAN. This bill would put on the dealer an obligation, first of all, to ascertain the majority of the purchaser, and that seems relatively simple. The other thing is he needs some evidence of residence. There is no question that there may be falsification of residence, but that residence requirement certainly diminishes the availability of weapons to people in States other than their residence. It diminishes the probability of people circumventing the laws of their own States by crossing State lines to make purchases.

Mr. MIZE. This young man might have complied with all the regulations. That is, he was a citizen; he was in his majority; he had no criminal record. Yet the dealer would have no way of knowing whether he did or did not. He still could have acquired a revolver legally, and he could have acquired ammunition legally. Is that correct?

Mr. CORMAN. Yes, except, as I understand it, there is the question of whether or not he was a resident of California. If he were not a resident of California, the dealer is obligated——

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. CORMAN was allowed to proceed for 1 additional minute.)

Mr. CORMAN. The point is that if the State of residence of Sirhan prohibited his getting a gun without a license or some sort of permit, he would not be able to go across a State line and buy it. He could buy it locally within his State, so far as this legislation is concerned, but that would be up to State law.

Mr. RAILSBACK. Mr. Chairman, I rise in opposition to the amendment.

I wonder if the gentleman from Texas would answer a couple of questions. Mr. Chairman, as I understand the gentleman's amendment, it relates primarily to temporary transfers for sporting purposes. Is that correct?

Mr. DOWDY. That is correct.

Mr. RAILSBACK. I wonder if the gentleman knows—and I would like the attention of the Chairman and I would like also to call the Members' attention to page 12, which relates to transfers to persons who are outside the State of their residence—I call the Chairman's attention to subparagraph 5 on page 12, and ask him if it is not his understanding that right now there is nothing to prevent a temporary transfer outside a person's State of residence. Assume that he is on a hunting expedition and he loses his weapon, or assume that he either wants to borrow one or rent one. Is there anything under this bill that would prevent such a temporary transfer to an individual outside the State of his residence?

Mr. CELLER. There is not.

Mr. RAILSBACK. Is that because the language on page 12 relates entirely to a transfer of title, each of the words relates to a transfer of title but not to a rental or a bailment situation or a temporary transfer?

Mr. CELLER. That is correct.

Mr. DOWDY. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I am glad to yield to the gentleman from Texas.

Mr. DOWDY. The bill does not say that. It says, "to transfer, sell, trade, give, transport, or deliver." It does not say anything about whether it is temporary or permanent.

Mr. RAILSBACK. It is my understanding that in the language just referred to, every single one of those words relates to an actual transfer of title, and this would include delivery. It would include "transfer, sell, trade, give, transport, or deliver," but this would not prevent and it is my understanding that it is our intention that it would not include any kind of temporary transfer.

Mr. Chairman, I yield to the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, the gentleman is correct. It is the clear intent of the committee, and it is the purpose of this bill to prevent people from going outside their State of residence to acquire a weapon and bring it back into the State. The gentleman's amendment would completely destroy that purpose.

It is not the purpose of the committee to stop a temporary use of a weapon by a hunter at the site of the game outside his own State, but we do prohibit his going out and purchasing a gun or otherwise acquiring title to it and getting control of it and bringing it back into the State, because that would completely frustrate the ability of the State to regulate the transfer or ownership of guns within their own States.

Mr. RAILSBACK. Mr. Chairman, I yield now to the gentleman from Texas.

Mr. DOWDY. Mr. Chairman, I thank the gentleman. I will say, if it is the intent of the committee to do what my amendment proposes to do, I can see no harm in adopting it, because it is doing what they say is the intent anyway.

Mr. RAILSBACK. Mr. Chairman, as I understand the gentleman's amendment, it goes one further step than that. In other words, the gentleman is concerned primarily about temporary transfers, and we say they are not hindered by reason of this bill; but the gentleman goes one step further, and provides, on page 14, for transfers of firearms or ammunition to individuals who may be under age.

I would guess that is the one thing the committee would not want to accept. But aside from that, it seems to me as far as affecting the purpose of the gentleman, to permit the temporary transfer, for instance, if somebody loses a weapon outside his State, it is not my understanding, and, from what the gentleman from California said, that is not our intent, and we do not intend to prevent temporary transfers.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DOWDY].

The question was taken; and on a division (demanded by Mr. DOWDY) there were—ayes 25, noes 49.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. HUNGATE

Mr. HUNGATE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HUNGATE: On page 20, line 18, insert before the colon: "*Provided, however,* That this section shall not apply to one who hand loads ammunition for his own firearms, or reloads the same, or custom loads the same, and who does not hand load, reload, or custom load ammunition for others".

Mr. HUNGATE. Mr. Chairman, I believe the amendment is self-explanatory. It simply endeavors to provide that a person who—as many sportsmen and people who follow shooting as a hobby like to do—wants to hand load his own ammunition, with a certain type of load, or reload, or reload as a practice, or make a custom load, that person would not have to be licensed as a manufacturer or destructive devices dealer or dealer or handler if he restricted himself to doing this just for himself and not for others.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I think the gentleman's amendment is a sensible one. I know it covers a need that exists in many parts of the country, where reloading and hand loading are a very common practice. This is the case in my own State, and I am sure it is so in many other States. I hope the committee will accept the amendment.

Mr. HUNGATE. Mr. Chairman, I appreciate the gentleman's support.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Virginia.

Mr. POFF. Mr. Chairman, it seems to me that the language of the bill itself already is plain and that such operations as those defined in the gentleman's amendment would not be covered by the reach of the bill. Yet, in order to make abundantly clear what is already certain, I support the gentleman's amendment.

I do not speak for anyone else on this side of the aisle, but I understand other members of the committee are in substantial accord.

Mr. HUNGATE. I appreciate the gentleman's support. When the gentleman speaks his opinion, I listen.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Washington.

Mr. FOLEY. I compliment the gentleman for the presentation of this amendment. I believe it is highly desirable to permit those who engage in the shooting sports to engage in hand loading and custom loading, and to be able to continue to do so without inconvenience.

As the gentleman knows, it is a matter of economy for many people who would not be able to engage in sport shooting unless they are able to hand load.

Mr. HUNGATE. I thank the gentleman for his contribution.

Mr. RANDALL. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Missouri.

Mr. RANDALL. I should like to associate myself with the gentleman from Missouri, and I commend him for his effort. I do not know how many people this would affect, but in the opinion of some of us, with a bill this bad, if it will help only a few it will help some. If it helps a little bit it is a contribution.

Mr. HUNGATE. I appreciate the gentleman's support.

Mr. BIESTER. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Pennsylvania.

Mr. BIESTER. So far as our side is concerned, we accept the amendment.

Mr. HUNGATE. I thank the gentleman.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the chairman.

Mr. CELLER. I believe if the gentleman from Missouri will look at the report, on page 11 he will find the following under the definition of the term "manufacturer":

> Accordingly, a person who makes firearms or ammunition for his own use, such as an ammunition reloader, or only occasionally makes and sells a firearm would not be a manufacturer.

So I do not know what the amendment adds to the bill. I do not believe it adds anything. So far as I am personally concerned, I would accept the amendment.

Mr. HUNGATE. I appreciate that.

Mr. CURTIS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the only reason I do move to strike is that here is a case of amendment on the floor of the House, with all sorts of amendments being offered. The committee members on both sides of the aisle say they will accept this amendment.

The question comes to my mind: Why was this not put in the bill in the committee? This is a question which comes to my mind on a great many of these matters. It seems to me very clear that this bill has not been adequately studied by the committee, and this is further proof.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. I believe it is important to note in connection with the gentleman's comment that the bill currently under debate was introduced some time during the afternoon of Monday, June 10. Copies of the bill were available to members of the Judiciary Committee for the first time on the morning of Tuesday, June 11. A meeting of the Judiciary Committee was held starting at 10 a.m. on that day. Members were asked to vote the bill up or down without any consideration of the bill at all, without any hearings, and without even an opportunity for members to have the bill read.

That effort lost on a tie vote because many of us who favor generally the purposes of the bill felt it very important to give at least some consideration to the normal legislative procedure.

So we were given 9 days, or until June 20, and on June 20 without the benefit, again, of any hearings, but with the opportunity to carefully consider all the provisions of the bill, another Judiciary Committee meeting was held, at which time the bill was approved.

It was because of the denial of proper legislative consideration, including hearings, that we have the problems the gentleman referred to on the floor of the House today.

Mr. CURTIS. I thank the gentleman from Minnesota. It is becoming clearer and clearer that this is the way, I regret to say, the House this year under the Democratic leadership has been bringing matters to the floor which have not had adequate study in the committee.

Here we are writing laws that are going to affect the lives of many people. I am not arguing pro or con on this bill; I merely say that this is a poor way to legislate. Frankly, I believe that the committee should have taken the time to do its homework in this area, and then come before the House with a proper study, so that those of us who are not on the committee could have the opportunity to base our judgment at least on a little bit of study.

Mr. CORMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to say to the gentleman from Missouri first of all that this amendment does absolutely nothing. It does not change the intent or the effect of this bill at all. I assume that is the reason why some of the members of the committe are not making a great fight about it one way or the other.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I will be glad to yield.

Mr. CURTIS. Then, for heaven's sake, do not put it on. This is no way to clutter up legislation, and the gentleman knows this.

Mr. CELLER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I tell the gentleman from Missouri he has not even been in the Chamber to listen to the debate, which indicates his interest in this legislation.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I refuse to yield.

Beyond that I will say that this bill was voted out of the Judiciary Committee by a vote of 29 to 6. The bill was considered in the subcommittee any number of days. We had an ad hoc committee studying and considering the bill in detail. We met in executive session some 15 or 16 times. The bill was considered most minutely both by the subcommittee and by the full committee. It is rather idle and very unfortunate that the gentleman from Missouri comes into this Chamber at this late hour and subjects the members of the Committee on the Judiciary to this kind of criticism. I think it is unfair, and I think when the gentleman revises his remarks he should make some changes in them.

Mr. RUMSFELD. Mr. Chairman, I move to strike the last word.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. RUMSFELD. I will be happy to yield to the distinguished gentleman from Missouri.

Mr. CURTIS. Mr. Chairman, I am sorry that the chairman of the committee did not see fit to yield. I want to say to the gentleman that I have been here, and I was certainly here all of Friday. There have been moments when I have been off the floor.

I have also read the committee report and tried to find what little hearings they had. Yes, I am critical of the Committee on the Judiciary and the chairman in this instance. The record is there for anyone to look at.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. RUMSFELD. I will be happy to in just a moment. I would like to associate myself with the remarks of the gentleman from Missouri and make the further point that the chairman's refusal to yield, it seems to me, was unfortunate, and is not the way that we will get thoughtful discussion and dialog in this Chamber. Too often debate in this Chamber is not debate at all, but rather a string of unrelated speeches. It would seem to me that yielding for a response when an individual asks someone to yield in an instance like this, is the best way to get to the facts of a situation. I regret that the chairman was unwilling to yield to that Member so that he could comment on the allegation made.

Mr. GROSS. Will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman from Iowa.

Mr. GROSS. Especially after referring to him personally.

I want to say that the gentleman from Missouri [Mr. CURTIS] has been here most of this afternoon. I have personally seen him here.

Mr. RUMSFELD. I might add that I have been sitting next to him much of the afternoon and the gentleman is correct.

Mr. Chairman, I yield back the balance of my time.

Mr. BUCHANAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, since the name of the gentleman from Missouri [Mr. CURTIS] has been mentioned, I think that I should say I wish every Member of this body had been as faithful in his attendance as the gentleman from Missouri. If so, we would have much more representative voting in this Chamber than is often the case in the Committee of the Whole. I want to commend the gentleman for his consistent presence in this Chamber when the business of the House is being transacted, as well as for the valuable contributions he often makes during the course of debate. The gentleman from Missouri [Mr. CURTIS] is a credit to the House and to the people of his State. I have never known a more responsible legislator. It is a privilege to serve with him in the Congress.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. HUNGATE].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SIKES

Mr. SIKES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SIKES: On page 28, line 13, immediately after "(a)" insert the following: "(1)".

On page 28, after line 18, insert the following:

"(2) Nothing contained in this chapter shall be construed to prevent shipments of firearms and ammunition to institutions, organizations, or persons to whom such firearms and ammunition may be lawfully delivered by the Secretary of the Army, nor to prevent the transportation of such firearms and ammunition so delivered by their lawful possessors while they are engaged in military training or in competitions."

Mr. SIKES. Mr. Chairman, this language which I propose is part of the existing Federal Firearms Act. It would restore the exception to the prohibition which H.R. 17735, as amended, would place on interstate firearms shipments made under the program for the National Board for the Promotion of Rifle Practice.

The reason for the amendment is clear. The language of the bill now before you would require that all the activities of the National Board for the Promotion of Rifle Practice be conducted through licensed dealers. This is an unnecessary, a costly, and a time-consuming procedure. The only effect would be to further limit, discourage, and discredit the work of a reputable agency of Government. The National Board for the Promotion of Rifle Practice is a recognized Federal agency of long standing and it is fully capable of continuing to accept and discharge the responsibility for properly screening and supervising the activities which are carried on through its program.

The good work of the National Board for the Promotion of Rifle Practice in supporting marksmanship clubs is nationally recognized. Because of the current stress on economy, the present program will be limited to junior clubs, junior divisions of senior clubs, and undergraduate college clubs. The stated purpose is to better assist those groups to learn marksmanship and proper weapons handling who most likely will be called into the service of their country. There is a recognized need for sound basic training in marksmanship. It is important from the standpoint of safety, important from the standpoint of proper utilization of weapons, important from the standpoint of self-protection, important to the sportsman, and important to the man who will soon be wearing a uniform.

The activities of the National Board for the Promotion of Rifle Practice are soundly based and they have contributed much. To destroy this program willy-nilly without reason or hearings by omission, deliberate or otherwise, of the language which I recommend is inexcusable.

Mr. CELLER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is a very important amendment and the sole beneficiary of this amendment would be the members of the National Rifle Association which laid a tremendous barrage of propaganda against this bill.

Mr. SIKES. Mr. Chairman, would the distinguished gentleman from New York yield for a correction?

Mr. CELLER. I yield to the gentleman from Florida.

Mr. SIKES. These young boys or young men are not members of the National Rifle Association. They are engaged in the activities of marksmanship groups. They are groups engaged in college ROTC. They are not members of the National Rifle Association.

Mr. CELLER. I would respectfully differ with the gentleman. I think that this amendment is primarily offered for

the benefit of the membership of the National Rifle Association.

The language in the amendment would establish an exemption to the prohibition on interstate firearms shipments in H.R. 17735, for shipments made under the program of the National Board for the Promotion of Rifle Practice. This exemption was deliberately omitted from title IV of the omnibus crime bill.

The omission of this exemption is deliberate, and the Department of Justice strongly opposes inserting it in the present legislation. The exemption contained in preexisting law was extremely broad and, if perpetuated, would remove from the coverage of the new firearms law nearly one million firearms users who belong to the "organizations" described. The only organization that qualifies under the exemption is the National Rifle Association.

The primary purpose of the legislation is to channel commerce in firearms through licensed outlets within the State of residence of the purchaser, in order to make possible effective State regulation of the use and possession of these weapons. That is the purpose of the bill before us, but exempting any large category of persons would frustrate this objective.

There is no reason to give special treatment to members of the National Rifle Association, or to exempt such persons from the operation of the act. Omission of the exemption creates no material hardship on the members of the National Rifle Association, who will still be able to purchase and transport firearms on the same basis as other persons.

I remind the members of the Committee that title IV of the Safe Streets and Crime Control Act of 1968, recently passed by this House, also omitted this proviso. In other words, only a few weeks ago we took out this proviso and now we want to put it in. Were we right then? Are we right now? I believe we must keep it out, and I believe it is rather brash on the part of the National Rifle Association to come into this Chamber, in view of its history, and ask for this exemption that all its members—I believe there are over 1 million of them—should be exempt from the burdens and the operations of this act.

Mr. ROBERTS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment.

The distinguished chairman of the Committee on the Judiciary is slightly incorrect. I am a member of the National Rifle Association, and I have no apologies to make for that, but the primary beneficiaries of this organization will be the high school and college ROTC and NROTC programs. These are the people who are taught rifle marksmanship and participate in these teams throughout this Nation. They will be the primary beneficiaries.

There is one other thing that the chairman said, "that we just knocked this out a few weeks ago, so we ought not to change it." I wonder why he did not believe that the definition of an antique firearm in the crime bill which is completely changed in this one, because he said, well, it is a better deal. The chairman will admit that he has put a completely different definition of an antique firearm in this bill than in the other bill 4 or 5 weeks ago.

Now, what applies to one, Mr. Chairman, ought to apply to the other. But the people who need this bill are the NROTC and the ROTC, and your high school ROTC. They are the youngsters who are willing to carry the flag, and let us help them to carry it.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman.

Mr. CONYERS. I have heard a conversation on this amendment, about benefiting high school members of the ROTC; would the gentleman in the well explain to me how this amendment would help high school students in the ROTC?

Mr. ROBERTS. It will make it possible to ship the ammunition to them from the board whereas otherwise they cannot ship it.

Mr. CONYERS. Is not the gentleman advised that the ROTC could operate without the benefit of this amendment?

Mr. ROBERTS. It is possible that it might, but under this amendment the board could ship it to them. Under the language the way it is now set up, there is a considerable amount of doubt about it. But it certainly will not hurt anything.

Mr. CONYERS. I am not so sure about that.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman.

Mr. YATES. The hearings of the Committee on Appropriations show that a study was conducted by a Madison Avenue consultant firm, Arthur A. Little Co.

A result of that was to appraise the results of this program. One of the questions asked of this company was what the effect of this program was with respect to men who are coming into the Army. One of the findings of that report was to the effect that the program benefited only 3 percent of all the young men who served in the armed services.

Mr. ROBERTS. That is all right. If it just benefits 3 percent—those are the people who are going to be the officers and who are going to be out there leading the troops. If you believe in fighting for your country—and certainly you do—then I would believe that you should vote for this amendment.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman.

Mr. DINGELL. As a matter of fact, I would say to my good friend, the gentleman from Illinois, that the report, which he may not have read with the same care as I did, found that the National Board for the Promotion of Rifle Practice and programs conducted under their leadership is of significant value to troops on active duty and find that they are better suited to carry out their responsibilities. They found something else—they recommended that the work in that area be carried on.

That is precisely what this amendment seeks to do.

I would point out also to my friend, the gentleman from Illinois, something else more important and that is this program, the one about which we are talking now, is carefully and closely regulated by the Department of Defense and the ammunition is subject entirely to Government control from the time it leaves the Government stocks until such time as it is fired.

Mr. ROBERTS. And it also must be accounted for in every way from the time it is shipped until it is finally expended.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman.

Mr. YATES. If what the gentleman says is true, why has the Department of Defense cut this down from an appropriation of $2 million to an appropriation of $56,000 for the present fiscal year?

Mr. ROBERTS. The gentleman is a member of the Committee on Appropriations and I am not a member.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. SIKES].

The question was taken; and on a division (demanded by Mr. SIKES), there were—ayes 48, noes 52.

Mr. SIKES. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. SIKES and Mr. CORMAN.

The Committee again divided, and the tellers reported that there were—ayes 77, noes 59.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY: On page 12, line 3, between the word "State" and the colon, insert "in violation of the law of said State".

Mr. DOWDY. Mr. Chairman, the message of the Attorney General, which accompanied this proposed legislation stated that the purpose of the proposal is to give States and local communities the capacity and the incentive to enforce effectively their own gun-control laws. He stated further that it would insure that strong local or State laws are not subverted by a deadly interstate traffic in firearms or ammunition.

The amendment I have proposed would do no harm to those ends, and, in fact, would strengthen the bill by making certain the laws of the particular State would not be violated by an importation. With my amendment, a State which would wish to impose stricter controls on firearms would be free to do so, while exempting those States which, for whatever reason, do not wish to impose the stricter controls. The amendment would accomplish the very purpose which the Attorney General, himself, said he wanted to accomplish.

Furthermore, this amendment would remove one of the harsh results of the bill, which may have been unintended, but which was brought out during earlier debate, when one of our colleagues raised

the question, if this bill were enacted, could he legally carry his shotgun, which he has in his domicile here in Washington, back to his residence in one of the Western States, and he was told that he could not legally do so. My amendment would relieve that problem.

To further illustrate the intendment of the amendment, as I have read the bill, and followed the debate, with my temporary domicile in the District of Columbia during sessions of Congress, I could go quail hunting in Virginia, and while there, since Virginia adjoins the District of Columbia, I could buy a shotgun, and could legally return with it to the District of Columbia; but when I got ready to get that shotgun with me to my residence in Texas, I could not do so except I make myself liable to the pain of fine and incarceration.

Furthermore, many people annually move their residences from State to State. Unless this amendment is adopted, a person could not lawfully move his shotgun with him when he moved his residence to another State not adjacent to the State from which he moved, without making himself liable for fine and imprisonment.

This should not be, either for me, or any other citizen of the United States.

My amendment should be adopted, and I so urge.

Mr. CORMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I believe I have the amendment before me, although I had to take it down as it was read. So far as I can see, what it does is to repeal that portion of the law which attempts to prohibit people going outside their State of residence to buy a gun and bring it back in.

That is a significant portion of this bill. If we repeal that, we have not much left.

There was considerable discussion by the gentleman who offered the amendment that he would be prohibited from buying a gun in his place of temporary residence and taking it back to his permanent residence. I think the record is clear on that point. For the purposes of this bill, a person may have more than one residence. If he resides for a substantial period of time in one place, he may legally purchase a weapon, as far as this bill is concerned and assuming, of course, he complies with local law.

So we ought not to confuse a person's ability to buy a gun in his place of temporary residence with the attempt to frustrate the purpose of this bill, which is to prevent a person from going outside the State of residence to buy a gun and then taking it back into his own State of residence.

The other half of this would be that the dealer would be obligated to know what the laws are in all 50 States and the various subdivisions thereof, to know whether or not he could legally sell a gun to an out-of-State resident. That would completely eliminate the usefulness of a dealer in helping enforce this law. Under the committee bill, the dealer has to make just one objective determination as to State of residence, and that is that the man is the resident in the same State in which the dealer is selling the weapon.

Under this provision, the dealer would have to know more than that. He would have to know what the laws are in the State from which the person came. Clearly it would greatly diminish the usefulness of the dealer regulation.

Mr. Chairman, I urge defeat of the amendment.

Mr. DOWDY. Mr. Chairman, maybe I misunderstand the bill, but I understood from the bill the person could buy a gun in the adjoining State to that in which he lives.

Mr. CORMAN. In a contiguous State, on the condition that both States have statutory laws which enable the person to make such a purchase.

Mr. DOWDY. There is no dispute about that at all. If the gentleman had listened to my remarks, my remarks were directed to the fact that I went to Virginia and bought a gun while I was living in the District of Columbia, and then when I went back to the State of Texas, I could not legally take it back.

Mr. CORMAN. That is what the gentleman said. It is not what the bill says.

Mr. DOWDY. That is what was stated earlier in the debate, that this law provides so, because the question was asked, by a Member on the other side of the aisle during the earlier debate, and he was given the answer he could not legally carry his gun which he has here in the District of Columbia back to his own State.

Mr. CORMAN. Whoever said that misstated the effect of this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DOWDY].

The question was taken; and on a division (demanded by Mr. DOWDY) there were—ayes 30, noes 55.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: On page 12 strike out the period at the end of line 13 and insert in lieu thereof the following: "*Provided further*, That this paragraph shall not apply to the transportation of any firearm acquired in any State prior to the effective date of the State Firearms Control Assistance Act of 1968."

Mr. DINGELL. Mr. Chairman, the language that would be inserted by this amendment would change the bill to make it abundantly clear that the purpose of the bill is to deal with firearms which are acquired outside of the State of residence of the purchaser only after the effective date hereof.

There has been considerable conflict as to whether or not this bill is prospective in effect or retrospective in effect. I would point out the language of the bill, commencing on line 13, page 10:

It shall be unlawful—

And now reading on line 23, page 11—

for any person, other than a licensed importer, licensed manufacturer, or licensed dealer to transport into or receive in the State where he resides * * * any firearm purchased or otherwise obtained by him outside that State.

Now, the other day my very dear friend from Ohio, one of the distinguished lawyers in this body, an extremely knowledgeable man, and indeed the ranking minority member of the Judiciary Committee, had a colloquy with our good friend from South Dakota [Mr. REIFEL] and Mr. REIFEL discussed this matter with him. He therein indicates that the purpose of the bill is to retrospectively cover firearms procured outside of the owner's State of residence.

In response the gentleman from Ohio—and I refer now to our good friend Mr. MCCULLOCH—conducted the following colloquy with the gentleman from South Dakota [Mr. REIFEL]:

Mr. REIFEL. I propose to support this legislation. But I do have three short questions that have come to my attention with regard particularly to shotguns.

I have one in my home. May I, under this bill if it becomes law, take it back to South Dakota with me without having to register it?

Mr. MCCULLOCH. Is it in your home in Washington?

Mr. REIFEL. It is in my home in Washington at the present time.

Mr. MCCULLOCH. I am inclined to believe that such action might be contrary to the terms of this bill if this bill is applied to firearms obtained prior to the effective date of the law, if enacted unless you obtained the firearm in the state of your domicile.

Mr. REIFEL. Would the gentleman repeat his statement.

Mr. MCCULLOCH. I believe taking it home might be contrary to the bill if the law is interpreted as I have just indicated.

Mr. REIFEL. It would be contrary to the bill?

Mr. MCCULLOCH. It might be contrary.

Mr. REIFEL. That is, I would not be able as a person who brought his shotgun along with him because he does not want to leave it at home in his district, and I have it in my possession now in my home here, the gentleman is stating that in his judgment taking it back home to my district, if the bill becomes a law, would be contrary to the law?

Mr. MCCULLOCH. You might send it through a licensed dealer back to your district and avoid the possible prohibition I have mentioned.

Now, I have also queried the very learned Attorney General, who has submitted to me a very profound response to a series of questions which I have submitted to that very learned gentleman. In response thereto he says it is not his intention that this bill should be retrospective and that it should deal only with firearms procured only after the effective date of the act. I would like to ask my good friend from New York, the chairman of the committee [Mr. CELLER], for whom I have an abundance of respect, if he will tell me whether this bill is retrospective or prospective. I will yield to any member of the Committee on the Judiciary, as a matter of fact, to give me that same answer, because this is a very important point.

Mr. CELLER. Mr. Chairman, will the gentleman yield to me?

Mr. DINGELL. I am glad to yield to the chairman.

Mr. CELLER. Let me read to the gentleman a response to a question on this matter.

Question. Does section 922(a)(3) apply to firearms owned, by reason of purchase or other legal means, prior to the date of enactment of the proposed bill or only to firearms acquired after the date of enactment?

Answer. The section is prospective in effect both as to the date of transportation and as to the date of acquisition of the firearm.

Firearms acquired prior to the effective date of the act (or, in the case of handguns, prior to the effective date of Title IV of P.L. 90-351) would not be subject to the prohibition.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent to be allowed to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. I yield further to my good friend from New York.

Mr. CELLER. I think that question and answer should be sufficient to answer your question. It is prospective.

Mr. DINGELL. I am troubled, because here we have a conflict between the Attorney General and my dear friend from New York, on the one side, and my good friend from Ohio [Mr. McCULLOCH] who is a lawyer of outstanding scholarship and ability. These are the gentlemen on whom I have leaned most heavily in my interpretation of this important piece of legislation.

Perhaps my good friend from California [Mr. CORMAN] would like to take part in this controversy which exists between the proponents of the bill. I will yield to him for that purpose if he wishes.

Mr. CORMAN. If the gentleman has a question to propound, I will be glad to answer it, but I would prefer to get my own 5 minutes to speak on this amendment.

Mr. DINGELL. But since the gentleman does not wish to make a comment on this point, I would like to ask my good friend from New York or my friend from California if they can tell us what harm this language of this amendment would do to the bill. In view of the fact that it has been long submitted to them and they have had full opportunity to scrutinize it, it would appear both desirable and innocent. It makes abundantly plain on its face what the chairman of the committee says the intention of the bill's sponsor is. I do not know what those sponsors on the other side of the aisle believe the intent to be because Mr. McCULLOCH has expressed a different interpretation.

Does the gentleman care to respond to that? I will be glad to yield either to my friend from New York or my friend from Ohio at this point.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I will be pleased to yield.

Mr. McCULLOCH. Of course, I will not be placed in a position where I would place myself in opposition to the opinion of the chairman of the committee or the Attorney General of the United States. Therefore I am pleased to say, in view of *that august* authority, that I will accept the amendment as far as I am concerned. And I might say further, in conference, at least, with some of the able members of the Committee on the Judiciary, it was decided that it would serve a useful purpose to put this question at rest.

It was not at rest, I am a bit embarrassed to say, when the bill came to the floor of the House.

Mr. DINGELL. I thank my good friend, the gentleman from Ohio [Mr. McCULLOCH] for whom I have great affection and high regard.

In order to further make clear the intention of the Congress and the Attorney General, I insert at this point, pursuant to unanimous consent, the letter which I received from the Attorney General regarding firearms to be covered. That letter also treats a definition of residence, where there are more than one residences of an individual. The letter discusses with great clarity retroactivity insofar as firearms which were purchased outside of the State of residence before date of enactment.

The letter follows:

Congressman JOHN D. DINGELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: In your letter of July 12, 1968 you inquired as to the purpose and effect of section 922(a)(3) of H.R. 17735. As reported by the Committee on the Judiciary, that section provides:

"*§ 922. Unlawful acts*

"(a) It shall be unlawful— . . .

"(3) for any person, other than a licensed importer, licensed manufacturer, or licensed dealer to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, in which he maintains a place of business) any firearm purchased or otherwise obtained by him outside that State: Provided, however, That this paragraph shall not preclude any person who lawfully acquires a firearm by bequest or interstate succession in a State other than his State of residence from transporting the firearm into or receiving it in that State, if it is lawful for such person to purchase or possess such firearm in that State: Provided further, however, That this paragraph shall not apply to transportation or receipt of a rifle or a shotgun obtained in conformity with the provisions of subsection (b)(3) of this section."

Section 922(a)(3) complements sections 922(a)(5) and 922(b)(3) which prohibits sales of firearms to unlicensed nonresidents. The basic purpose of the legislation is to channel the acquisition of firearms to sources within the purchaser's state of residence, thus enabling the states to effectively regulate and control firearms within their borders. The provision does not make illegal the transport by an individual of legally acquired firearms from one state to another for lawful purposes—such as a resident of one state transporting a firearm to another state for temporary use there for hunting, target shooting, or other lawful purposes. The section only applies to persons who have acquired firearms outside of their state of residence and who are attempting to transport such firearms back into their state of residence.

In answer to your specific questions:

1. *Does section 922(a)(3) apply to firearms owned, by reason of purchase or other legal means, prior to the date of enactment of the proposed bill or only to firearms acquired after the date of enactment?* The section is prospective in effect both as to the date of transportation and as to the date of acquisition of the firearms. Firearms acquired prior to the effective date of the act (or, in the case of handguns, prior to the effective date of Title IV of P.L. 90-351) would not be subject to the prohibition.

2. *Does section 922(a)(3) bar the transport of legally acquired firearms from one state to another on the part of an individual having a residence in each of two or more states?* The phrase "State where he resides" as used in section 922(a)(3) is not specifically defined in the statute. However, similar language is frequently used in statutes and is construed by the courts in each instance to reflect the purpose of the particular statute. See, for example, *Downs* v. *Commissioner*, 166 F. 2d 504, 508 (9th Cir. 1948). *In re National Discount Corp.*, 196 F. Supp. 766, 769 (W.D.S.C. 1961), and *Gallagher* v. *Carroll*, 33 F. Supp. 945, 946 (E.D.N.Y. 1939). The purpose of limiting sales to "resident", and of prohibiting transportation into one's state of residence of firearms purchased outside that state is to enable states to control access to firearms by persons permanently or for substantial periods of time physically located within their borders. The term "residence" is used rather than the term "domicile" to make clear that a person's residence is not limited to the place where he may vote, or pay taxes. At the same time, the term "resident" would not include transients, but only persons who live in a place for a substantial period of time. Thus, if a Member of Congress lives in the District of Columbia during the legislative session, he could lawfully purchase a firearm there and transport it to his home state when he returns there.

This interpretation is also reasonable from the point of view of dealers. When a dealer asks for proof of residence, he may rely on commercially reasonable identification—such as a driver's license or credit cards showing a person's residence address. The dealer will be making a factual rather than a legal determination. If a person has residences in two states, firearms dealers in both states may lawfully sell to him.

3. *Does section 922(a)(3) bar the transport of legally acquired firearms from one state to another on the part of an individual who has changed, or is in the process of changing, his state of residence?* At the time of purchase, such a person resided in the state in which the purchase was made. When he transports the firearm into a new state of residence, he is not transporting into the state a firearm acquired in a state of which he was not a resident. Accordingly, the person would not be prohibited from transporting the firearm into the new state of residence.

Yours very truly,

_____,
Attorney General.

Mr. CORMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I shall not use the entire 5 minutes.

Mr. Chairman, I do not oppose this amendment because I think the amendment is of no force and effect. As the gentleman from Missouri [Mr. CURTIS] who so often chastises our committee for not doing its homework—and I do not see the gentleman on the floor. I hope he is listening to this part of the debate—I know we do not wish to load up this bill with language which means absolutely nothing and, therefore, I oppose the amendment.

SUBSTITUTE AMENDMENT OFFERED BY MR. POLLOCK FOR THE AMENDMENT OFFERED BY MR. DINGELL

Mr. POLLOCK. Mr. Chairman, I offer a substitute for the amendment offered by the gentleman from Michigan [Mr. DINGELL].

The Clerk read as follows:

Amendment offered by Mr. POLLOCK as a substitute for the amendment offered by Mr. DINGELL: On page 11, between lines 22 and 23, insert a new paragraph to read as follows:

"(D) Notwithstanding the provisions of subdivisions (a)(3) and (b)(3) of this section, this paragraph shall not be held to pre-

clude a licensed transferee from purchasing a firearm by mail order from a licensed importer, licensed manufacturer or licensed dealer inside or outside his State of residence, or from purchasing a firearm in person from a licensed importer, licensed manufacturer or licensed dealer outside his State of residence, but the licensed transferee shall nevertheless be subject to all other provisions of this act, other firearms laws and regulations of the United States and of his State and political subdivision of residence; except that when a nonresident of a State purchases a firearm as a licensed transferee, he shall not take delivery of said firearm sooner than two days next following completion and submission of the purchase documents for said firearm, and the licensed importer, licensed manufacturer or licensed dealer shall at the time of the initial sales transaction notify the local police authorities of the intended purchase, if such is required by the law of the State or local subdivision where the purchase is made. The notification may require the submission by the licensed transferee of such information as is required under the provisions of section 923 (i) of this act."

Mr. POLLOCK. Mr. Chairman, first I would like to say that I am not in disagreement with my good friend, the gentleman from Michigan [Mr. DINGELL]. I support the purpose of the gentleman's amendment. The only problem with it is that he is only treating one of the several deficiencies of this particular section of H.R. 17735.

Mr. Chairman, last week I submitted a number of proposed amendments for printing in the RECORD, so that every Member could read them. This was amendment No. 4 in the RECORD. Every member of the Committee on the Judiciary has received a copy of it also.

Mr. Chairman, the problem with this section of the bill, even with the amendment which has been offered by my good friend and colleague, the gentleman from Michigan [Mr. DINGELL], is that the section still does not address itself to all of the problems with which we are confronted in this particular paragraph. There are a number of important omissions.

Mr. Chairman, there has been much discussion and questioning about what we mean when we say "residence" as distinguished from "domicile."

There has been discussion as to the lack of ex post facto provisions in the bill with reference to the effective date of the provision of the act.

The gentleman from Michigan [Mr. DINGELL] is trying through the amendment which he has offered to make this bill meet the situation of previously acquired firearms, so that it will not affect firearms which were acquired out of the State of residence prior to the effective date of the act. But the amendment does not address itself to situations where people acquire firearms subsequent to the date of the act by devise, descent, or gift, that is by will or by interstate succession, as was discussed earlier, and the bill simply does not address itself to these purported situations or to myriad situations which are otherwise legal in the State of residence, but left unanswered in this bill.

I am sure that the response of the defending members of the Committee on the Judiciary who have been assigned the task of opposing all amendments regardless of merit will be to oppose this amendment on the ground that all of the material in my amendment is already covered by the provisions of the bill. But this is simply incorrect.

The fact that some of these omissions have been made part of the RECORD by conversation on the specific omissions is simply not the way to enact legislation in my humble opinion. Attorneys involved in law cases simply have no opportunity to acquire a copy of the CONGRESSIONAL RECORD to see what the law means that it did not say. Attorneys look at the law and use its provisions to support their legal position. The matter will most often be settled in court without having to go back and look at the history of the passage of legislation and the discourse which took place on the floor of the House, or during committee hearings, if there were any—which, of course, there were none whatsoever in this historic situation.

Mr. Chairman, to reiterate, I feel it vitally important to point out that this section of the bill is deficient in several respects, and my substitute would correct these obvious shortcomings.

Mr. DOWDY. Mr. Chairman, will the gentleman yield?

Mr. POLLOCK. I yield to the gentleman from Texas.

Mr. DOWDY. After reading the gentleman's amendment, and listening to the remarks of the gentleman about it, I believe that it will reach other points that my amendment tried to reach where, if a person moved his residence he can carry his guns with him. In other words, if the State he moves into permits him to own a gun it will permit him to carry it with him, is that correct?

Mr. POLLOCK. The gentleman is absolutely correct, and I believe the point the gentleman has made is a very valid one. I have a gun that I legally purchased in California, prior to the effective date of this act, of course, and I have it legally here in the District of Columbia with me. If the amendment I propose is not adopted, it will be illegal for me to take that gun back to the State of Alaska. There is no provision in the bill which would permit it.

Mr. DOWDY. Mr. Chairman, if the gentleman will yield further, I believe that until the day comes when we can get adequate law enforcement in the District of Columbia, it would be a good suggestion to keep your gun with you in the District of Columbia.

Mr. POLLOCK. I have it here with me, my friend. I have a permit for it and I intend to keep it available to afford me the needed protection I would not otherwise have here in Washington.

Mr. Chairman, I yield back the balance of my time.

Mr. RAILSBACK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

I have only the highest regard for the gentleman from Alaska for the work that he has done in offering a number of amendments some of which I believe the ad hoc subcommittee has already dealt with. But this particular amendment would have the effect of excluding certain types of transactions from prohibitions against transferring to residents out of State, and the prohibitions against transporting into or receiving in a State a firearm from outside of that State.

The amendment relates primarily to a bailment situation, or to a temporary transfer. But it includes the word "gift," which I believe is the real dangerous language in this particular amendment, which would be a tremendous loophole. And then it throws into the bill for the first time the word "domicile" thus differentiating between domicile and residence.

It is my understanding, Mr. Chairman, that there is a memorandum from the Attorney General which deals with the very questions that have been raised by the amendments offered by the gentleman, and I would like to ask the distinguished Chairman if it is his intention at the proper time to obtain consent to insert that memorandum of the Attorney General in the RECORD?

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I yield to the Chairman.

Mr. CELLER. I shall do so.

Mr. Chairman, under the substitute offered by the gentleman from Alaska, would it be possible for someone in the gentleman's State, say, Illinois, to go into Pennsylvania and receive a so-called gift of a gun, or a dozen guns, and bring them back to Illinois, and he would not be subject to the provisions of this bill?

Mr. RAILSBACK. That is my understanding; that there would be absolutely no recordkeeping requirements with respect to a gift.

The distinction that we have to make is, and as I stated earlier, it is my understanding that somebody right now is not denied the right to obtain a temporary transfer of a gun if he should lose the gun outside his State because the language on page 12, subparagraph (5) contemplates an actual transfer of title and delivery or a transfer or sale. Although this is prohibited, a transfer such as a bailment or a temporary transfer which the gentleman has described in his amendment would not be against the provisions of this act.

To answer the gentleman's question, to use the language "gift" in here would mean that somebody under the guise of a donor could completely frustrate the law we are trying to enact here and in my opinion completely ruin the bill.

Mr. CELLER. Another way the law would be frustrated would be by the exemption of guns obtained by bailment. Someone in another State could set up a rental agency for guns and anyone could borrow a gun from a rental agency and take it back to the State. Just as one who obtains a firearm by gift, he would be absolved from all of the burdens of this act under this amendment, would he not?

Mr. RAILSBACK. I think that would be a danger and I thank the chairman.

I want to refer to a memorandum that we obtained from the Attorney General which deals with all of these things and I hope and I understand you will put it the RECORD.

For instance, dealing with this question of domicile, and the question was raised:

Does section 922(a)(3) bar the transport of legally acquired firearms from one state to another on the part of an individual having a residence in each of two or more states?

I am going to try to paraphrase the answer. It is to the effect that the reason they did not use the word "domicile" and used the word "residence" is—it is possible under the bill to have more than one residence.

As long as it is in the nature of some kind of a permanent residence or actual residing in a particular place rather than just simply having a short temporary residence, the residence requirement would be satisfied. The memorandum makes this distinction very clearly I think and indicates that it is possible to have more than one residence and that it would be possible for a Member of Congress, if he spends a great deal of his time in the District of Columbia, to be able to purchase a firearm here and return it to his home State.

Let me make one other point. Another question raised by this amendment is:

Does section 922(a)(3) bar the transport of legally acquired firearms from one state to another on the part of an individual who has changed, or is in the process of changing, his state of residence? At the time of purchase, such a person resided in the state in which the purchase was made.

The answer is that—

When he transports the firearm into a new state of residence, he is not transporting into the state a firearm acquired in a state of which he was not a resident. Accordingly, the person would not be prohibited from transporting the firearm into the new state of residence.

I submit, Mr. Chairman, the amendment really has no effect to carry out what I believe are the gentleman's intentions and his purposes, with the exception of adding the additional word "gift" which I think is an extremely dangerous word to add. It would be a loophole.

Mr. POLLOCK. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I yield to the gentleman.

Mr. POLLOCK. I do not know how much time we have but I would like to respond to what I understood the gentleman from Illinois to be saying.

Is it correct from what I understand the gentleman to be saying, and the chairman of the Committee on the Judiciary concurring in, that we need to have a memorandum put in the RECORD by the Attorney General and to make it a part of the record so that people can interpret what the law means instead of looking at the law to find the answers to the problems that we face.

Mr. RAILSBACK. I think the fact that the questions were raised which were thought to be legitimate questions at least we did not think there was a question—but apparently you did, and I understood the Attorney General's opinion was sought in respect to these questions. I want to make it very clear that those questions have been considered and this should be a part of the legislative history, with the exception of the insertion by the gentleman of the word "gift" which would open up a tremendous loophole.

Mr. POLLOCK. I do not understand how you can expect people who are practicing law around the country to have copies of the CONGRESSIONAL RECORD to know what the intent of the law is and of the Attorney General and of the chairman. Because the particular wording of the bill is nebulous and does not cover the problem. This is one point.

Mr. RAILSBACK. We think the word "residence" is clear and the word "residence" in Black's law dictionary indicates that there can be more than one residence.

Mr. POLLOCK. I would agree with that.

Mr. RAILSBACK. Also with respect to the language on page 12, because it involves an actual transfer of title.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CORMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, let us make it clear that the substitution for the Dingell amendment would have a tremendous and defeating effect. So far as I can tell, the Dingell amendment itself has no effect, but this provision in relation to the prospective provisions would say that anyone could go outside his own State and acquire a weapon by gift or bailment. It is absurd. It would completely frustrate the purposes of his amendment, and I urge defeat of the substitute.

Mr. BLACKBURN. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the substitute amendment. I wish to associate myself with the remarks of the gentleman from Alaska.

I would like to comment that those of us who have engaged in the practice of law are thoroughly aware that many times in the heat of trial the only thing we have available are copies of the United States Code. It is unfair to lawyers under those circumstances to expect them to be able to delve into the past and find CONGRESSIONAL RECORDS when they are not available.

Mr. POLLOCK. Mr. Chairman, will the gentleman yield?

Mr. BLACKBURN. I yield to the gentleman from Alaska.

Mr. POLLOCK. I would like to respond to the comments that were made before. First, there is not just one change. There are about five changes here. There is nothing in the law at the present time that takes care of any gifts which would be made or any transfer of titles by devise or dissent; that is, by will or intestate succession. This is one way the bill does not address itself to the problem of domicile. It does not address itself to the problem of bailment, which is a very important consideration. It does not address itself to the problem of the effective date of the act, whether you are bound before and after.

Let me talk about the gift for just a moment. Last week I mentioned on the floor that one of our Members here, the gentleman from Indiana, CHARLIE HALLECK, received a beautiful shotgun from his Republican colleagues for his many, many years of outstanding service here in the Congress. Under the provisions of this bill, if my amendment is not adopted, it would be illegal for this man to take the gun back to his home in Indiana when he retires, and this is utterly ridiculous.

I want to talk about the bailment problem. Last week I talked about a problem we have in my State of Alaska. I am sure other States have it, too. That is the problem of our guides taking hunters from other States and from other parts of the world who go up there and do not have the right gun for the particular kind of hunting we are doing. The guide would have the right to lend him that gun for short periods of time, or rent it to him for short periods of time. He could not otherwise do it, because it would be illegal under the interpretations of this law, unless we have to go outside the provisions of the law and consider what the Attorney General might put in here afterward in an opinion.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. BLACKBURN. I yield to the gentleman from Texas.

Mr. WHITE. Going back to the question of residence, the bill speaks of residence in a State, but there is no definition in the bill of residence. Therefore, the definition of each State must hold. Each State has its own residency requirements. Therefore, there would be no uniformity that you could apply to all States and the movement of persons throughout the country. Therefore, you would have confusion which would prevail, and probably each State would determine that they are a resident of that State for certain specific purposes.

Mr. BLACKBURN. I want to congratulate the gentleman from Texas for bringing this point out so clearly. We must recognize that States have different definitions of the word "domicile" and different definitions of the word "residence," depending upon whether it applies for taxation purposes or some other purpose, depending on the matter under debate at the time.

Mr. POLLOCK. Mr. Chairman, will the gentleman yield further?

Mr. BLACKBURN. I yield to the gentleman from Alaska.

Mr. POLLOCK. It was said the other day and a few moments ago by one of the opponents to the substitute amendment that the act intends to address itself to the transfer of title. There is nothing in the bill anywhere, certainly not in this section, that talks about transfer of title at all. It is absolutely silent on that point. So we get back again not to a fourth but to a fifth thing that is inadequate. This is an amendment simply for the purpose of clarifying, evidencing the will and the intent of Congress, and I see nothing wrong with spelling out what we want to do. If the people in this body feel it is improper to have a gift or feel it is all right to receive by devise or dissent or it is all right under a temporary situation to borrow for purposes of guiding, as I indicated, then someone will take action to strike the gift part.

I happen to think it is good. But the point I want to bring out is the end of

the amendment indicates that so long as a person is permitted under law to acquire a weapon in his State of domicile, and as long as it is not illegal to receive it in those States, then it is not illegal in this.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alaska [Mr. POLLOCK] as a substitute for the amendment offered by the gentleman from Michigan [Mr. DINGELL].

Mr. POLLOCK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. POLLOCK and Mr. TENZER.

The Committee divided, and the tellers reported that there were—ayes 55, noes 71.

So the substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. DINGELL].

The question was taken; and on a division (demanded by Mr. DINGELL) there were—ayes, 62, noes 33.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. PEPPER

Mr. PEPPER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PEPPER: On page 28, line 2, after the Casey amendment as amended, insert the following and redesignate accordingly:

"Whoever on or after January 1, 1971 in a State in which it is not a felony to use or unlawfully to carry a firearm in the commission of any felony in such State, uses a firearm to commit any felony or carries a firearm unlawfully during the commission of any felony in such State shall upon conviction be sentenced to a term of imprisonment for not less than one year nor more than ten years. In the case of his second or subsequent conviction under this subsection, such person shall be sentenced to a term of imprisonment for not less than five years nor more than twenty-five years. The execution or imposition of any term of imprisonment imposed under this subsection may not be suspended, and probation may not be granted. Any term of imprisonment imposed under this subsection may not be imposed to run concurrently with any term of imprisonment imposed for the commission of such felony.

Concurrent jurisdiction for the enforcement of the provisions of this Act is hereby conferred upon the appropriate District Court of the United States and upon the State Court which shall try the person charged with the commission of the felony in which a firearm shall be used or unlawfully carried."

Mr. CELLER. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CELLER. First, Mr. Chairman, the amendment is not germane to H.R. 17735 and, unlike the so-called Casey amendment, is not made in order by the rule under which this bill is being considered.

Second, the Committee has already considered the Casey amendment and adopted the Poff substitute in lieu thereof.

The amendment offered by the gentleman from Florida retraces ground already covered by the Committee.

The CHAIRMAN. Does the gentleman from Florida desire to be heard on the point of order?

Mr. PEPPER. If I may, please, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. PEPPER. Mr. Chairman, this amendment differs in material respects from the Casey amendment and from the amendment that I offered to the Casey amendment the other day.

In the first place, the Casey amendment applied instantaneously, that is, when it took effect—to all instances when someone would use or carry unlawfully a gun in the perpetration of a felony under the laws of the several States. This amendment allows until January 1, 1971, before this amendment making it a Federal offense to use a gun in the perpetration of a crime or felony under the State laws should take effect, the design of which was to encourage the States in the more than 2 years which would elapse between now and January 1, 1971, to enact their own laws which would make a separate felony the use or unlawful carrying of a firearm in the perpetration of a felony under the laws of the several States. That is a very significant difference.

I have used the same provisions relative to punishment which are carried in the Poff amendment which was adopted by the Committee of the Whole.

The second respect in which this differs from the Casey amendment is that this amendment provides that concurrent jurisriction for the enforcement of the provisions of this act are conferred upon the U.S. district court and upon the State courts that would have jurisdiction of the principal felony.

Those, it seems to me, are significant differences between this amendment and the Casey amendment.

Mr. Chairman, if I may add one thing more, I just heard from the FBI this afternoon that in the year 1967 in excess of——

The CHAIRMAN. The gentleman will please address himself to the point of order, and not to the merits.

Mr. PEPPER. I realize this, but to show the significance of the amendment, over 133,000 felonies were committed in the several States with the use of firearms.

The CHAIRMAN. That certainly has nothing to do with the point of order.

Mr. PEPPER. Mr. Chairman, I have nothing more to say. I merely wished to show the significance.

The CHAIRMAN (Mr. ROONEY of New York). The Chair is prepared to rule.

The amendment offered by the gentleman from Florida [Mr. PEPPER] would impose a Federal penalty when a firearm is used or carried by a person in the commission of a felony in a State in which there is no State law making the carrying or use of a firearm a felony. The amendment confers jurisdiction on the State courts to try persons charged with violating the provisions of the amendment.

The bill, as amended by the Committee of the Whole, presently contains a provision for similar penalties when a firearm is unlawfully carried during the commission of a felony which is prosecuted in a Federal court.

The amendment does not create a new State crime. It describes an act which is to be unlawful under Federal law and provides for the prosecution of that act in either a Federal or State court.

The Chair believes that the amendment, which extends the provisions of the so-called Poff amendment—adopted by this Committee on last Friday—to felony prosecutions in State courts, is a modification of a matter already introduced into this bill by amendment, and is therefore germane.

The Chair overrules the point of order.

The gentleman from Florida is recognized for 5 minutes in support of his amendment.

Mr. PEPPER. Mr. Chairman, in the first place, if I may repeat, the FBI advised me that last year in excess of 133,700 felonies were committed in the United States under the laws of the several States with the use of firearms.

This is a good bill we have here today. I am for this bill and I think it will do some good. However, all of us recognize that the people of the United States want to get at the question of the use of firearms in the commission of crime. The critics of this measure, not always justified but they have merit in their criticism, say that the bill as it exclusively relates to guns does not go to the root of the problem. The user of the gun is the one who kills and who commits the offense, and so the Poff amendment has made a good beginning, but the able gentleman from Virginia, as I recall it, the other day stated that the number of instances which his amendment would affect was about 1,900, because his amendment relates only to the use of firearms in the perpetration of a felony under Federal law. What about the 133,700 felonies that were committed, as the FBI told me today, with the use of firearms in the several States? But I did not make the Federal law immediately effective in my amendment; I made it effective January 1, 1971.

Mr. Chairman, every State legislature will be meeting next year or the year after and each State can enact its own law respecting the use of firearms in the commission of felonies; but we will let them know that if they do not act in this field, by this amendment, if enacted, the Federal law will take effect at the beginning of 1971.

Now, Mr. Chairman, because the able gentleman from Virginia [Mr. POFF] and I happened to be somewhat alone on the floor the other day in expressing our opinion that it was within the province of the Congress to impose upon the State courts the authority, even the duty, to try a Federal offense, this Federal offense which would be prescribed by this amendment, I will cite authorities to support our position. I have in front of me a Harvard Law Review article entitled "Federal Criminal Laws and State Courts" written in 1925 by the great constitutional authority, Charles Warren—38 Harv. L. Rev. 545. Mr. Warren reviews the law thoroughly and concludes that the Supreme Court has settled the matter and Congress can confer concurrent jurisdiction upon State courts to try

Federal offenses if the State courts are willing to exercise such jurisdiction.

Mr. Chairman, the U.S. Supreme Court settled the matter very clearly in the case of *Testa* v. *Katt*, 330 U.S. 386 (1947). Mr. Justice Black said, for a unanimous Court:

> The first Congress that convened after the Constitution was adopted, conferred jurisdiction upon the State courts to enforce important Federal civil laws and succeeding Congresses conferred on the States jurisdiction over Federal crimes and actions for penalties and forfeitures. Enforcement of Federal laws by State courts did not go unchallenged.

The Court in this case reversed the decision of the Supreme Court of Rhode Island which held that a lower court of Rhode Island did not have jurisdiction to try a penal case arising under a Federal statute.

Justice Black, for the Court, said:

> For whatever consideration they may be entitled to in the field in which they are relevant, those decisions did not bring before us our instant problem of the effect of the supremacy clause of the relation of Federal laws to State courts. Our question concerns only the right of a State to deny enforcement to claims growing out of a valid Federal law.
>
> It is conceded that this same type of claim arising under Rhode Island law would be enforced by the State courts.

The Supreme Court then held that the courts of Rhode Island could not refuse to entertain a penal case arising under a Federal statute.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent Mr. PEPPER was allowed to proceed for 5 additional minutes.)

Mr. PEPPER. Now, Mr. Chairman, I conclude my remarks by saying that I have before me an opinion from the Legislative Reference Service of the Library of Congress, the American Law Division, and I will read two paragraphs into the RECORD. I submitted this amendment to the American Law Division which advised me as follows:

> To sum up what was discussed between Mr. Geiser of your office, and the undersigned, together with Dr. Small of the American Law Division, we found no significant Supreme Court decisions on this point since the case of Testa v. Katt, 330 U.S. 386 (1947), in which a unaimous Court held that the supremacy clause of the Constitution, as well as the nature of the Federal State relationship under the Union, requires a State to enforce Federal law, criminal as well as civil, in its courts, where they have jurisdiction to act.

And the last paragraph from this authority:

> The amendment desired to be offered to the State Firearms Control Assistance Act of 1968 (H.R. 17735, 90th Congress) conferring jurisdiction of offenses under the Act upon State courts having jurisdiction to try the same would appear to offer no constitutional objection.

Then he suggested:

> On the basis of prior statutory precedents, however, it may be advisable to insert the word "concurrent" before the word "jurisdiction" in the amendment so as to make it read: "State courts having jurisdiction over the trial of the above named offenses shall also have concurrent jurisdiction to enforce the provisions of this act."

That suggestion I have followed in my amendment.

To sum up, Mr. Chairman: This amendment confers concurrent jurisdiction upon the several State and the Federal courts to enforce this subsection. The burden I believe should be divided between the State and Federal courts. I believe the State courts, as a matter of fact, could try and would try a great many of these cases. But, Mr. Chairman, if every case under this amendment had to be tried in a Federal court, what use can our Federal court be better put to than to protect the 133,000 people of this country who in the year last past were victims of crimes perpetrated by the use of firearms?

So I believe, Mr. Chairman, if we would adopt this amendment it would be a deterrent to the use of firearms in the perpetration of a crime because of a fear of the offender of being prosecuted under Federal law which would mandatorily require—mandatorily require—that he, if convicted, would go to the penitentiary. There is no suspension, no probation to keep the user of that firearm in the commission of a felony, under the amendment if carried here, from going to prison.

So I hope, Mr. Chairman, that the House will see fit to adopt this amendment.

Mr. O'HARA of Michigan. Mr. Chairman, would the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Chairman, I thank the gentleman for yielding.

I appreciate the explanation given by the gentleman, but it leaves me with several questions:

In the first place is the question of conferring jurisdiction on a State court, if one assumes the correctness of the gentleman's argument—and I would not quarrel with it—but then the State legislature is going to have to authorize that State court to accept that jurisdiction. The State court is not going to be able to try any case over which they do not have jurisdiction granted them by the agency that created them.

Mr. PEPPER. If the able gentleman will allow me to reply to that, Mr. Charles Warren, writing in 1925, said that the legislature had to authorize the State courts to execute the Federal law, but the Supreme Court, writing in 1947, said that if a State court had general jurisdiction under the State law to try this kind of a case, Congress had authority to confer upon the court the duty to try it, and the legislature could not remove the jurisdiction from the court.

Mr. O'HARA of Michigan. I am dubious about that, but I will accept that.

But at any rate, it seems to me in my State what we do is we have two grades of offenses, and I am sure they do in most States, if not all. Indeed, assault with a deadly weapon is a different degree of crime with a different punishment than a simple assault. Robbery, armed, is a different offense with a different punishment than unarmed robbery, and that would, it seems to me, be a much preferable system.

The CHAIRMAN. The time of the gentleman from Florida has again expired.

Mr. POFF. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, it is with painful reluctance that I oppose the amendment offered by my most distinguished and eloquent colleague from Florida. I must thank the gentleman before I begin for discovering the scholarly work which vindicates the distinguished gentleman and me before this body with respect to such an obscure area of constitutional law.

I believe now it is generally agreed that the National Legislature does indeed have the power to confer upon State courts jurisdiction for the prosecution of crimes defined by the National Legislature.

Indeed, this bill confers concurrent jurisdiction on the State courts and the Federal courts.

But conceding such constitutional power, the issue then becomes Mr. Chairman, should that power be exercised?

I submit that as a matter of policy this is unwise, principally because it fractures the Federal system spiritually and functionally.

It is wise, I think, that we maintain the separation between the State authorities and the Federal authorities which the authors of our Constitution first devised. It insures that we will not have a central police state in America.

For yet two other reasons I must reluctantly oppose the amendment offered by the gentleman. First of all, it does not contain an identifiable constitutional nexus. The Casey amendment depended for its constitutional base upon the interstate commerce clause—and that was a proper constitutional nexus.

The substitute which I offered took the jurisdictional basis of each felony defined in the Federal code but I look vainly through the language of the amendment the gentleman has offered to find a constitutional jurisdictional basis.

Second and finally, Mr. Chairman, I notice that the language of the last paragraph of the gentleman's amendment will have the effect of conferring upon both the State courts and the Federal courts the jurisdiction to enforce all of the provisions of the entire act now before the body—that is to say the entire chapter 44 of title 18. That would be a physical possibility.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman.

Mr. PEPPER. There may be a lack of skill in the draftsmanship of the amendment wherein I said "apply to the provisions of this act."

I intended for it to apply only to this amendment and I would like to ask unanimous consent to modify the amendment so as to put the word "amendment" in place of the word "act" so that we will have no doubt about the purpose of it.

Mr. POFF. If I may respond to the gentleman from Florida briefly, in a spirit of helpfulness. If he chooses to make the change in the language of the second paragraph, I would respectfully suggest that instead of the word "amend-

ment" the gentleman might appropriately use the words "of this subsection."

Mr. PEPPER. Very well, then I ask unanimous consent to modify the amendment in that respect.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

Mr. GROSS. Mr. Chairman, reserving the right to object, I would say to the gentleman from Virginia that if he accedes to this on his time, he automatically loses the floor.

Mr. POFF. I understand that and I had concluded my comments and I am doing this only in the spirit of helpfulness. Yet, I would reemphasize the argument I have made in opposition to the amendment and notwithstanding the unanimous-consent request, I will be in opposition to the amendment.

Mr. PEPPER. Mr. Chairman, I ask unanimous consent that the able gentleman from Virginia may have 5 additional minutes and may I ask the gentleman another question or two?

The CHAIRMAN. Is there objection to the request of the gentleman from Florida that the gentleman from Virginia [Mr. POFF] may proceed for 5 additional minutes?

There was no objection.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman.

Mr. PEPPER. My hope was that as a practical matter a technique could be worked out by which the State court which tried the felony could perhaps in the same case try the Federal offense for the use of a gun in the commission of that felony. It would be a saving of time and of personnel and of expense. It would have to be worked out by the authorities. But that is the reason I thought it was so desirable to experiment or to give authority to the State court because they will be trying the felony and I would hope that with this urging and nudging from the Congress, the States would eliminate the Federal question by themselves providing a separate penalty for the use of a firearm in the commission of a felony and making mandatory a penitentiary sentence, as this amendment would provide, upon those who do use a firearm in the commission of a felony.

Mr. POFF. I can fully appreciate the gentleman's purpose. I say that it is altogether meritorious. Yet I am afraid it does not take into account the very sizable procedural problem which would be involved. Among other questions which occur to me are these: Would the State court use the rules of evidence applicable within its own State jurisdiction, or would it be obliged to follow the rules of evidence applicable in the Federal district courts?

A host of attendant questions come to mind. I believe it is just impractical to experiment with such a revolutionary concept in this particular context.

Mr. GROVER. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from New York.

Mr. GROVER. Could we get an answer from the chairman of the committee on that point? Would the Federal rules of procedure apply to a State law in this instance?

Mr. PEPPER. My opinion would be that the State rules of evidence would apply. That is a matter of procedural, not substantive law.

Mr. POFF. May I ask the gentleman what burden of evidence would be required to convict?

Mr. PEPPER. It being a criminal case in both the Federal and State courts, the evidence must be beyond a reasonable doubt.

Mr. POFF. Do I correctly understand the gentleman to contend that the rules of procedure in the Federal court would be inapplicable?

Mr. PEPPER. It might well be that the State court could use either, because the State court would be trying a Federal offense, and exercising a Federal jurisdiction.

Mr. Chairman, will the able gentleman be kind enough to withdraw his objection to my amendment?

Mr. POFF. I did not object. I believe the gentleman from Iowa reserved the right to object.

The CHAIRMAN. Is there objection to the modification?

Mr. MATHIAS of Maryland. I object.

The CHAIRMAN. Objection is heard.

Mr. CASEY. Mr. Chairman, I rise in favor of the amendment.

I do not believe the amendment is any surprise to anyone. I wish to commend the gentleman from Florida for endeavoring to meet the objections that were raised to my amendment offered last Friday, which was modified by the amendment of the gentleman from Virginia.

The gentleman has raised the question as to whether or not the gentleman from Florida should have in this amendment something with reference to interstate commerce. I can tell the gentleman from Virginia, from my studies and from the information that I have received as a result of my amendment, that that is not necessary. It is not necessary in order for this Congress to take cognizance of the subject; also in the preamble of this bill there is plenty of precedent for such an amendment to be properly in order.

So it boils down to the one question the gentleman from Virginia raises as to a matter of policy.

In my opinion, I do not believe the citizens of this country are worried so much about policy as they are about action. And I mean action against the criminal element. The gentleman from Virginia has taken care of it by his substitute for my amendment. He has reduced it to apply only to Federal cases. It was pointed out during debate last Friday that the amendment will apply only to 1,900 to 2,000 cases, while it has been very graphically pointed out that there are over 130,000 felonies committed with the use of firearms in this country.

You will have to make up your own minds as to whether you are going to be strong on policy or tough on action. I do not believe any one of your constituents will write to you if you adopt this amendment to say, "How dare you encroach upon the State's authority to go after these crooks?"

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. CASEY. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I would like to associate myself with the gentleman's remarks. I believe he makes a good point. We would not be here 4 days deliberating on this bill if the States indeed had done a good job.

But as has been brought out time and time again, in debate on this bill, obviously the State laws are insufficient and inadequate to meet the kinds of criminals we are meeting in the streets of this country. Time is long past due when the Federal Government ought to take action on this.

Mr. CASEY. The gentleman from Florida, Mr. Chairman, has also taken care of the fact that for the next 2 years this would be effective only in those States which, after 2 years, failed to enact a similar law. I think it is commendable. The gentleman has met practically every objection that was raised to my amendment last Friday. Now if the Congress wants to turn its back on this, go right ahead, but I am telling the Members they can take every excuse they want to—policy or what have you—for failing to vote for this amendment, but they are not going to do a service for this country unless they adopt the amendment offered by the gentleman from Florida.

Mr. Chairman, I urge the adoption of the amendment.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment rather reluctantly, because I have a profound respect for the distinguished gentleman from Florida, but his amendment bristles with a great deal of difficulty.

The first difficulty is a constitutional one. I do not see any nexus between this amendment and the Constitution. I fail to find in the Constitution any provision that would authorize or empower the Congress to enact a criminal provision of this sort.

There is nothing in the amendment to indicate that the gun that would be used or would be in the possession of a felon must have crossed the State line.

There is no requirement that the criminal must have crossed State lines. There is nothing in this amendment to indicate anything in the nature of interstate commerce, so I cannot see how anyone could ground the constitutionality of this amendment on the interstate commerce clause.

Beyond that, I would say that the amendment is very hazy and difficult to understand. It is defectively drawn. The question has arisen as to the procedure in the State court or the procedure in the Federal court. The procedures are different in those courts. In the Federal court a judge in commenting on evidence, for example, has far more power than the judge in most State courts.

We have the question of empaneling certain types of juries in Federal courts, and that may be different in State courts.

We have a proliferation of courts, all of which will have jurisdiction under this amendment. We have 50 States and we have superior and inferior courts in those States. All of them may have jurisdiction over these felons and felonies. We have 93 U.S. district courts. We have all manner and kinds of interpretations coming out of his miscellany of courts.

Mr. Chairman, we have confusion worse confounded, and for these reasons, I do hope that the amendment will not prevail.

AMENDMENT OFFERED BY MR. DOWDY TO THE AMENDMENT OFFERED BY MR. PEPPER

Mr. DOWDY. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Florida [Mr. PEPPER].

The Clerk read as follows:

Amendment offered by Mr. DOWDY to the amendment offered by Mr. PEPPER: Strike out the words "of this Act" in the last paragraph and insert in lieu thereof "of this subsection".

Mr. DOWDY. Mr. Chairman, the purpose of this amendment is to take care of the question that was raised by the gentleman from Virginia [Mr. POFF] during his discussion with the gentleman from Florida [Mr. PEPPER] concerning the amendment. I think the objection of the gentleman to it was well taken, and I have offered the amendment to take care of that particular problem and to make it clear that this concurrent jurisdiction to State courts is given only in cases that arise under the Pepper amendment.

I can only repeat what I said earlier in the debate and what has been said here. We purport to be here to try to do something about the crime rate, the riots, the looting, and the arson and the shooting which is going on in this country today. There is nothing in the bill yet that will have any appreciable effect on the crime that is going on in this country. It is just a smokescreen to hide the crime and to get people's minds away from the crime and the other things that are troubling them, and to get them to think about guns rather than law violations.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I am pleased to yield to the gentleman from Florida.

Mr. PEPPER. The amendment offered by the able gentleman from Texas is a modification of my amendment suggested by the able gentleman from Virginia, and I hope it will be accepted as a perfecting amendment.

Mr. DOWDY. I thank the gentleman.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the Pepper amendment and all amendments thereto conclude in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. ECKHARDT].

Mr. ECKHARDT. Mr. Chairman, I rise to oppose the amendment by the distinguished gentleman from Florida [Mr. PEPPER]. I always oppose my respected friend with the greatest reluctance, because there is no one in the House who is deserving of more respect both because of his conviction and because of his learning.

It has been said that strong facts make bad law. I join my colleague from Florida in seeking to devise effective ways to curb crime, and I supported the anticrime bill strengthening the police efforts of the States. I also support this bill to give States assistance in firearms control.

But the amendment would not give assistance; it would entrench more deeply on States rights than any proposal ever submitted to Congress. It would enter the field of general criminal law without defining any nexus upon which Federal jurisdiction is based. It would define as a Federal crime the commission of any felony in the State in which the accused carried a firearm.

It is not an answer that the Federal Government would "give" the States until January 1, 1971, in which to revise criminal statutes increasing the penalty where a firearm is used, because to me it is a matter of principle that the State should write its own general criminal law in the way it is deemed best for that State and its people where there is no special, Federal issue involved.

There are, of course, areas where the matter is not one of general criminal law and where Congress has properly entered the field. Federal jurisdiction has been employed by Congress in three different ways:

First. To punish antisocial conduct of distinctively, if not exclusively, Federal concern;

Second. To punish conduct of local concern, with which local enforcement authorities are unable or unwilling to cope; and

Third. To secure compliance with Federal administrative regulations. See L. B. Schwartz, "13 Law and Contemporary Problems," page 66, spring 1958.

I am for national activism in civil matters. I believe that the Federal Government should aid in the regulation of our economy to make it vigorous and healthy, that it should extend equality of opportunity in education, employment, and in the fruits of society generally.

But I believe just as strongly in preserving individual rights and the constitutional bulwarks that protect them. I think these are seriously threatened when we move away from a system in which States control their own general body of criminal law, their own system of jurisprudence, and their own police authority. This amendment would effect a massive movement of Federal authority into the area of criminal law. It would commandeer the State system of jurisprudence for the processing of this Federal criminal law. And I think that it would dangerously weaken our native American resistance to a central police state.

The increase of the incidence of crime is a wicked and a dangerous thing. But I have faith that our society is structured so that it can cope with it and still retain individual liberty. I would feel a good deal less secure should this amendment pass because that structure would be weakened.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, I rise in support of this amendment. This amendment clearly provides that the States will have until 1971 to put their own houses in order. If they are serious about this war on crime they will pass legislation to protect their interests and their States' rights. If they fail to do it by 1971 this amendment will come into play.

I do not see how this Congress can go to the American people and give them a gun bill that does not have meaningful teeth to deal with this problem.

The CHAIRMAN. The Chair recognizes the gentleman from Texas, [Mr. DOWDY].

Mr. DOWDY. Mr. Chairman, I do not see how this amendment is an invasion of States' rights. It merely gives them better tools to enforce their rights.

Mr. Chairman, I yield to the gentleman from Florida.

Mr. PEPPER. That is exactly the intent of it, to give the States and the Federal district courts a concurrent power to enforce the provisions of this act. I believe the States' courts will welcome the opportunity to deter the use of a gun in the commission of felonies in the States.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. FOLEY].

Mr. FOLEY. Mr. Chairman, I am reluctant in opposing this amendment because of my respect for the distinguished gentleman from Florida, but we are proposing to intervene more directly, as the gentleman from Texas [Mr. ECKHARDT] said, with the rights of the States to control their police functions than in any proposition certainly since I have been in the Congress.

Second, as a former law-enforcement official and prosecutor I can assure the committee that mandatory sentences of this degree of severity are counterproductive and will only lead juries to turn defendants loose.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. EDWARDS].

Mr. EDWARDS of Alabama. Mr. Chairman, I rise in opposition to the Pepper amendment. There is no one in this House who is more concerned about the problem of crime than I am. There is no one in this House who is more interested in upholding the Constitution of these United States than I am.

As much as I want to get at the criminal, I am not willing to vote to impose the Federal will on the State courts. In our zeal to do something about the crime problem it would be extremely unwise to get carried away with emotion and attempt to dictate to the States and their courts.

All too often Congress, motivated by emotion, has moved into the field of State government. Time and again the Federal Government has attempted to tell the States how to run their affairs. This in-

trusion into State affairs must be stopped. Therefore, Mr. Chairman, as desirable as this amendment may sound, it constitutes as unwarranted invasion of the rights of the States by the Federal Government and I cannot support it.

Mr. Chairman, the Poff amendment, already adopted, provides for mandatory sentences for criminals, convicted in Federal courts of a felony, who use a firearm in the commission of the felony. This is as far as we should go. But I would hope that the Poff amendment will serve as a guide for the legislatures of the various States. Each State should consider a similar provision which would be applicable to the felonies tried in State courts where a gun is involved. This, in my opinion, is the constitutional way. I hope all State legislatures follow the principle of the Poff amendment. But this is a decision for each State legislature to make and I am not willing to impose the will of Congress on those duly elected State officials.

I urge the defeat of the Pepper amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Chairman, I, too, must reluctantly rise in opposition to the amendment. I believe it would raise so many questions of confusion that it would provide nothing more than a field day for the lawyers and the law school professors for years to come.

Among the questions which I believe have not been even discussed is whether those convicted under this provision would serve in the Federal penitentiary or in a State correctional institution.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. BIESTER].

Mr. BIESTER. Mr. Chairman, I rise in opposition to the Pepper amendment.

I applaud its purpose and respect its author, but it seems to me this amendment does not merely confer jurisdiction on the State courts but tells State judges how they shall sentence, and that is an intrusion on States' rights that I cannot countenance.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Chairman, I am not reluctant in opposing this amendment, but I am saddened by the fact that it was introduced by a very good friend of mine with whom I worked closely in the 3 years I have been involved in the very important work of the House of Representatives.

In the first instance, I believe this amendment is unconstitutional, but I have noted the emotionalism that has been accompanying it in the support of this amendment and its perfecting amendment.

I am opposed to it in spirit and will vote against it.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, I am opposed to the amendment and hope it is defeated. It is extremely confusing. I cannot tell whether it will be applicable to my own State or not. It has a great effect on the States. The gentleman said that the States would welcome his amendment. The States have the authority to impose whatever laws they wish. Mandatory sentences generally speaking are bad and should not be imposed on State courts by Federal law.

I urge a "No" vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DOWDY], to the amendment offered by the gentleman from Florida [Mr. PEPPER].

The question was taken; and on a division (demanded by Mr. DOWDY) there were—ayes 32, noes 72.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. PEPPER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY: On page 15, after line 17, add a new sentence:

"Paragraph (5) of this subsection shall not apply to transactions between licensed dealers and individuals residing in the same State, except as required by the laws of said State".

Mr. DOWDY. Mr. Chairman, the only authority on which the Congress can base its authority or power to enact legislation such as this is found in the interstate and foreign commerce clause of the U.S. Constitution; wherefore, it seems obvious that the power to require the recordkeeping on purely intrastate transactions, as required in the paragraph in question if not nonexistent, is at least highly dubious.

Furthermore, this bill, if enacted, would accomplish its purposes, as stated by the Attorney General, himself, at the point at which it prevents, regulates, and records the movement of firearms and ammunition in interstate commerce, and can make those records available to the State governments.

Those are the stated purposes of the bill, and paragraph (5) of section 922(b) goes far beyond either the purpose of the bill or the need for the legislation as explained by the Attorney General.

If the legislature of any State should find a need or desire to require that all purchases of firearms and ammunition within the State be recorded, it can easily legislate on the matter and bring it about. There is no call or need for the Federal Government to impose upon any State, invade the prerogative of its legislature, and do this without regard to the desires or needs of such State. Furthermore, there is no power granted in the Constitution to enable this Congress to require any type of records to be kept on any kind of commerce between the citizens of the same State.

My amendment is designed to do three things: first, to preserve the constitutionality of the proposal; second, to prevent the extension of the proposed law into an area in which no need has been claimed and none proven by the Attorney General; and third, eliminates keeping of records in purely intrastate transactions, unless required by State laws. In addition, this amendment would reduce to some extent, the avalanche of paper work which is going to be required of even the so-called mom-and-pop stores, under the record and report provisions of the bill.

I trust that the vicious and absurd distortion of the plain intent of this amendment are not comparable to those advanced against other of the amendments I have proposed.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

The amendment proposed would eliminate the requirement of keeping records of firearms and ammunition transactions between dealers and between dealers and individuals within the same State. We would be deprived of finding out what happens to all intrastate gun transactions. One of the enforcement tools of this bill is the recording requirements. Recording such transactions will enable proper maintaining of arms and ammunition sales and purchases throughout the country. Under the amendment no record would be kept on intrastate transactions.

Mr. Chairman, for that reason I oppose this amendment.

Mr. McCULLOCH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am of the opinion that this amendment would weaken the bill and as I can see no real useful purpose that it could serve, I hope the amendment is rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DOWDY].

The amendment was rejected.

Mr. DENT. Mr. Chairman, as we near the end of our third day on the legislation I would like to make a few observations.

One of the great faults with this attempt to regulate the purchase and transport of guns on a Federal level is the title of the bill.

We in Pennsylvania back in 1939, when I was senate leader, passed a much tougher and more restrictive firearms or gun bill.

This bill has been heralded as a gun control bill.

The American people are suspicious of Federal controls. In this instance the controls are only regulatory as to the sale across State lines, transportation across State lines of guns or ammunition, and forbids the sale of such items through mail-order catalogs outside the State.

It makes it unlawful to sell to minors or to nonresidents of a State.

The law in Pennsylvania is a very strong uniform act and if this bill before us was correctly labeled as a uniform Federal Firearms Act I am sure much more could have been accomplished in the interest of orderly, reasonable, and enforceable Federal standards.

The Federal law will help Pennsylvania and other States that have no way of enforcing the provisions of the law that attempts to regulate the sale of guns to minors and out-of-State residents.

The sportsmen of Pennsylvania have acknowledged the need for such Federal legislation.

The Pennsylvania law needs enforcement as the Pittsburgh Press—July 21, 1968—pointed out in Fred Jones' well-documented analysis of the act known as the Uniform Firearms Act of 1939.

I believe it will help the House in its deliberations if I read into the RECORD the contents of Fred Jones' article on the Pennsylvania State law.

You will note that no matter how we discuss this legislation, either pro or con, we must admit that in the end a law is only as effective and useful as the administration and enforcement of the provisions of the law.

Fred Jones points this out in his study of the Pennsylvania law enforcement.

The Pennsylvania story follows, in part:

WEAKEST LINK IN CONTROL IS AT FEDERAL LEVEL: STATE LAW BOOKS FULL OF GUN CURBS—HAPHAZARD POLICING CUTS EFFECTIVENESS

(By Fred Jones)

When the Pennsylvania Legislature shot down a bill for stiffer gun control last week, it raised some disturbing questions for citizens engulfed by the controversy over firearms that has swept the nation.

What are the existing laws?

Who can legally buy a gun?

Are our present laws enforced?

An examination of Pennsylvania's statutes reveals an astonishing amount of legislation already on the books to regulate purchase, possession, carrying and use of firearms.

HEAVY PENALTIES

These laws carry heavy penalties for their violation.

Enforcement, however, can best be described as haphazard.

Pennsylvania's Uniform Firearms Act passed in 1939 defines firearms as any pistol or revolver with a barrel less than 12 inches long, any shotgun with a barrel less than 24 inches long, or a rifle with a barrel less than 15 inches long.

Regular shotguns and rifles are not regulated except by part of the hunting code which forbids the carrying of loaded guns in autos.

Another law bans the taking of any loaded weapon into a park, recreation area or any place where the public may assemble. Possession of a loaded weapon in such areas is considered evidence of intent to violate the law.

Statistics compiled by the Federal Bureau of Investigation (FBI) put the various types of weapons into their proper perspective.

Handguns (revolvers and pistols) account for 44 per cent of all cases of homicide and non-negligent manslaughter cases. Knives and other stabbing weapons account for 23 per cent.

Physical methods, strangling or blows with the hands or feet, account for 9 per cent. Shotguns also are used in 9 per cent of the homicide cases while rifles account for 7 per cent. All other types of murder make up the remaining 8 per cent.

MANY FORMALITIES

Anyone wanting to buy a handgun legally in Pennsylvania has to go through a considerable number of formalities.

Getting a license to carry one is even more difficult.

Under the law, dealers selling handguns in Pennsylvania cannot deliver them to the buyers until a 48-hour period has elapsed.

The buyer must sign in triplicate an application to buy a handgun and turn it over to the dealer.

The application must contain his full name, address, occupation, color, place of birth, date and hour of the application, the caliber, barrel length, make and manufacturer's number of the weapon he wants to buy plus a statement that he has never been convicted of a crime of violence.

There's more. Within six hours after receiving such an application, the dealer must send by registered mail a copy of the application to the chief of police in the community where he is located or the county sheriff.

Within seven days, the dealer must furnish the same information to the State police. In addition, he must keep a copy of the application and statement in his own possession for six years.

The State Police at Harrisburg keep an active file on all individuals who apply for permission to buy a firearm and on everyone who applies for a license to carry a firearm.

This information can be furnished to any local police department in a matter of minutes.

The State Police gun records are made available to the National Crime Information Center at Washington, D.C.

This new computerized program links about 30 states for instantaneous response on queries involving guns and suspected criminals.

All applications for guns and permits to carry them are checked by the Pennsylvania State Police through this program.

Most dealers obey the law to the letter. If they don't, they are subject to a $3000 fine, three years imprisonment and the loss of the dealer's license.

Dealers also are forbidden to sell firearms to minors under 18 or to anyone he has reason to suspect might be a drug addict, drunkard, mentally ill, or to have been convicted of a crime of violence. No type of firearm, including rifles and shotguns, may be sold to minors under 16.

Obtaining a license to carry a handgun is still more difficult.

The chief of police in a community or the county sheriff may issue a one-year license to carry firearms under certain conditions. These include a requirement that the applicant appears to have a good and proper reason—such as fear of injury to his person or property—for seeking a license.

EXTRA RESTRICTIONS

In many communities, there are further restrictions.

An applicant who is a resident of Allegheny County outside the cities of Pittsburgh, McKeesport, Duquesne and Clairton, must first get approval from the chief of police in the community where he lives and a letter saying he has no criminal record. This must be presented to the sheriff's office.

At the same time, he must fill out an application giving full personal information, physical description, a description and registration of the gun he wants to carry. He also must be photographed and fingerprinted.

The permit also carries the reason for which it was issued and the conditions under which the gun may be carried.

These additional requirements, including a 15-day waiting period, were imposed by Sheriff William Davis.

"During those 15 days, we check out every applicant with the FBI, the State Police, the local police and our own records," he said.

Once a permit is approved, a copy is filed with the State Police and another is kept in the County's own files.

City residents must file application through Police Supt. James Slusser's office which follows a similar check-up.

APPROVE PERMITS

Supt. Slusser also insists that he personally approve all permits to carry firearms. Records of gun purchases and investigation of applicants is a function of the Pawn Division of the Bureau of Police.

Keeping track of handguns breaks down when one individual complies with the legal requirements and buys a gun but later sells it to another individual. This sale does not have to be recorded and there is no provision in the law covering it.

If the weapon later turns up in a crime case, police have to go back to the original sale and begin tracing it from there.

While Allegheny County and the City of Pittsburgh keep close tabs on the sale and possession of firearms, authorities in many counties are not as careful.

Sheriff Davis said some of his colleagues in nearby counties are rather lax.

"There are some counties where all you have to do is fill out an application to carry a gun and you get it," he said. "There is no checking on the applicant. This is wrong."

This lack of investigation also was confirmed by the Pennsylvania Federation of Sportsmen's Clubs which maintains present laws would be adequate if they were enforced properly.

As a test, the Federation had a German alien file an application for a gun permit and it was approved by a county sheriff's office even though aliens are forbidden by law to buy or carry a firearm in Pennsylvania.

DEALERS KEEP LISTS

Under the National Firearms Act passed more than 30 years ago, dealers must keep lists of the guns they sell, the buyers, their addresses and descriptions of the weapons.

In addition, dealers may not sell handguns to buyers in other states without getting evidence that the buyer has complied with the requirements of the state where he lives.

All of this information also must be made available to the Alcohol Tax Unit of the U.S. Treasury Dept.

So far as can be learned, this law has been implemented only once. Several months ago, the U.S. attorney in New York used it to crack down on a Long Island gun dealer.

Foreign weapons can be imported into the U.S. only after the buyer obtains a $200 license from the Treasury Dept. for each shipment.

Such imports also must be approved by the U.S. Commerce Dept. Both agencies have the authority to refuse to issue such licenses.

In addition to this, the President has the authority to ban any import of foreign weapons by proclamation.

The big question is whether additional gun legislation—such as the registration of all guns including rifles and shotguns—will cut down the number of homicides by guns.

MURDER RATE

Supporters of such legislation say it will. They note that murder by gun is generally lower in states with some form of gun control laws.

On the other hand, the Pennsylvania Federation of Sportmen's Clubs cites the case of Philadelphia which has the most stringent gun laws in the State.

"Philadelphia, which makes up 17 per cent of the State's population, has 47 per cent of all homicides in the State despite its gun laws," the Federation says.

ADDITIONAL PENALTIES

Up until last week, the State firearms law provided that the courts had power to impose additional penalties when a gun was used in the commission of a crime.

Thus on a sentence of 10 years for armed robbery, the judge could tack on another year for violation of the firearms code and impose additional fines.

Most judges failed to exercise the option and this was a sore point to many police officers who feel the gun laws should be strictly enforced.

This discretionary authority on the part of the courts was removed by the State Legislature last week with the passage of a bill which makes mandatory additional terms of five to 10 years for persons convicted of using guns in crimes of violence or during

riots. The bill is now in the hands of the Governor awaiting signature.

Under the firearms act, possession of an unlicensed handgun is considered evidence of intent to commit a crime of violence. The courts usually refuse to take this seriously.

Mt. Lebanon Police Chief Walter Kunkle feels the courts should impose the full penalty of the law in such cases.

"We pick up a guy carrying an unregistered gun and without a license to carry it and the courts fine him $25 and turn him loose," he said.

Individuals may have unlicensed handguns only in their homes or places of business.

The weakest link in the control of firearms lies at the Federal level, particularly where the interstate sale of firearms is concerned.

Mr. NIX. Mr. Speaker, in addition to my own deep and unswerving commitment to the passage of meaningful gun-control legislation, as already expressed in my views on the floor of this House—I wish to add the deep feeling in the views of one of my 14-year-old constituents.

It is encouraging to note the widespread interest displayed by teenagers in Philadelphia and all over the country in support of the passage of strong gun-control laws.

I know that my colleagues in the House, after reading the thoughts expressed by this teenager in behalf of others in her age group, will express my convictions that this legislation is a forward movement in the advancement of safety and crime control in this country.

The letter follows:

PHILADELPHIA, PA., *July 13, 1968.*

Congressman ROBERT N. C. NIX,
Philadelphia, Pa.

DEAR MR. CONGRESSMAN: I am writing on behalf of many teenagers of Philadelphia, who with me, support the Gun Control Laws.

I may be wasting my time writing this letter, but at least I am trying to do my part.

I am 14 years old, and I think it's a sin that I can't walk down the street (not only after dark) or even go to school without fear of getting shot by some irresponsible kid who'd shoot at anything or anyone just for the sake of it. Just this week the Police came to my neighborhood because a teenage boy had a sawed off shotgun, why, I don't know, but in his flee from the police, someone, an innocent bystander could have been shot. With the Gun Control Laws passed, chances are this boy could not have gotten that gun. With the Gun Control Laws passed, this would be a much safer place in which to live.

Granted, there are still knives, but it is much more difficult to wound a person with a knife unless close up on them.

As I said earlier, this may be a waste of time, but I do hope you will be kind enough to see that this letter and my thoughts get into the right hands. Thank you for taking the time to read this.

Sincerely yours,

CLAIRE HUNTER.

P.S.—I am also enclosing a petition with the names of teenagers who also agree with the passing of the Gun Control Laws.

We the following fully and sincerely agree with the passing of the Gun Control Laws:

NAME AND ADDRESS

Claire Hunter, 6122 Magnolia St.
Dawn James, 6114 Magnolia St.
Aurora Astillero, 439 E. Walnut Lane.
Olivia Leach, 403 N. Sharpnack St.
Allen Wilson, 343 N. Sharpnack St.
Ellen Pat Towns, 124 E. Cliveden St.
Barry Towns, 124 E. Cliveden St.
Angela Ingram, 6124 N. Magnolia St.
Anderson Lewis Ingram, 1813 72nd. Ave.
Carlos Ramon Chavarria II, 6124 Gardenia St.
Arthur Poole, 6120 Magnolia St.
Nancy Stevenson, 6256 Magnolia St.
Mario Fa Lana, 6241 Magnolia St.
Marlene Hellen Bayne, 6129 Baynton St.
Agnes Bogl, 557 West Carpenter Lane.
Lamara Guilddebeaux, 618 Johnson St.
Camille James, 6114 Magnolia St.
Sharon Taines, 6110 Gardenia St.
Carole Lowman, 133 E. Duval St.
Robert Golden, 6347 Magnolia St.
Thomas Carry, 6112 Magnolia St.
Damala Darvell, 6233 Magnolia St.
Harold Lowerry, 6117 Gardenia St.
Michele Hewitt, 6105 Magnolia St.
Alexander H. Washington, 134 E. Washington Lane.
Laverne Lowery, 6111 Gardenia St.
Stephaine Laws, 812 E. Talpehocken St.
Charlene Thomas, 419 E. Walnut Lane.
Pamala Scott, 360 E. Walnut Lane.
Renee Brown, 6104 Gardenia St.
Bonita Patterson, 6102 Magnolia St.
Manie Biscoe, 6130 Ros St.
Timothe Stevenson, 6200 Homer St.
Keven Chavarria, 6124 Gardenia St.
Cheryl Spicer, 6203 Magnolia St.
Allen C. Thomas, 6212 Gardenia St.
Laura Gancy, 6118 Magnolia St.
Edward Gee, 428 Walnut La.
Ramon Astillero, 439 Walnut La.
Kitty Harris, 6239 Magnolia St.
Ozie Brown, 6318 Home St.
Robert, 6234 Gardenia St.
Reggie Hillid Veman, 5613 States.
William Wooten, 6209 Magnolia Ave.
Alour Sharpless, 6253 Magnolia.
Ken Bridges, 7141 Mt. Airy Pl.
Geoffrey Thomas, 6212 Gardenia St.
Debra Reed, 6334 Homer St.
Vanessa Johniken, 6335 Magnolia St.
Julio D. Silva, 137 E. Pomona St.
Ronald F. Purnell, 122 W. Manheim St.
Timothy Moragne, 6121 Magnolia St.
Richard Gale, 6123 Magnolia St.
Carmen D. Bergan, 6127 Ross St.
Sharon Morgan, 6127 Ross St.
Rosalyn Morgan, 6127 Ross St.
Laurie Hernandez, 6127 Ross St.
Marie Coleman, 6116 Ross St.
Fredo Astillero, 439 E. Walnut La.
Mr. H. Barrow, 6113 McMahon St.
Luke Woods, Jr., 6107 Magnolia St.
Cheryl L. Rich, 6113 Magnolia St.
Louis C. Barnes, 6203 Morton St.
Herbert Scherrer, 6207 Magnolia St.
James Rhodes, 6128 Gardenia.
Malcolm McGraw, 6124 Musgrave.
Darrik L. Estes, 6127 Magnolia St.
Eave S. Williams, 164 W. Sharpnack St.
James Biscoe, 6130 Ross St.
John Hodge, 417 E. Walnut La.
Wallace Frank, 6135 Magnolia St.
Andre Dixgle, 6116 Ross St.
Evelyn Fiumara, 6011 Magnolia St.
Darlene Holliday, 6118 Musgrave St.
Gwendolyn Cary, 6118 Musgrave St.
Edward Hunter, 6122 Magnolia St.
Eric Holt, 123 E. Washington La.
Darrell Slaughhe, 6125 Gardenia.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROONEY of New York, Chairman of the Committee on the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 17735) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms, had come to no resolution thereon.

RESIGNATION AS MEMBER OF COMMITTEE

The Speaker laid before the House the following communication, which was read:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 23, 1968.

Hon. JOHN W. MCCORMACK,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I herewith tender my resignation as a member of the House Committee on Ways and Means, effective as of the above date.

Respectfully,

A. SYDNEY HERLONG, JR.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

SPECIAL PAY TO CERTAIN MEMBERS OF THE UNIFORMED SERVICES HELD CAPTIVE IN NORTH KOREA

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 17780) to direct the Secretary of Defense to pay the special pay authorized under section 310 of title 37, United States Code, to certain members of the uniformed services held captive in North Korea.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

H.R. 17780

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 310 (relating to special pay for duty subject to hostile fire) of title 37, United States Code, the Secretary of Defense shall pay the special pay authorized by such section to each member of a uniformed service who was aboard the United States Ship *Pueblo* at the time of her capture by military forces of North Korea. Such pay shall be paid for the period beginning April 1968 and ending with the month after the month in which such member is repatriated.

With the following committee amendment:

On page 1, line 9, strike out "April 1968" and insert in lieu thereof "January 1, 1968".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, the purpose of this proposal is to authorize payment of hostile fire pay—$65 per month—to the members of the crew of the U.S.S. *Pueblo,* who were captured by military forces of North Korea on January 23, 1968.

NECESSITY FOR THE LEGISLATION

Section 310 of title 37, United States Code, which authorizes the award of hostile fire pay, has been interpreted by the Comptroler General of the United States to preclude the payment of this special pay to members captured or missing as a result of hostile action if they had not otherwise qualified for such pay immediately prior to that time.

At the time of their capture, the members of the crew of the U.S.S. *Pueblo* were not eligible for hostile fire pay since they were not operating in an area designated by the Secretary of Defense as an area which would qualify for the award of hostile fire pay.

COMMITTEE AMENDMENT

The bill has been amended to insure the award of hostile fire pay to members of the crew of the U.S.S. *Pueblo* from the month of their capture rather than the month of April, as originally stated in the bill.

DEPARTMENTAL DATA

The Department of Defense supports the objectives of this proposal.

FISCAL DATA

Enactment will not result in any increase in budgetary requirements for the Department of Defense.

COMMITTEE POSITION

The Committee on Armed Services unanimously recommends enactment of H.R. 17780 as amended.

TO AMEND THE DEPENDENTS ASSISTANCE ACT OF 1950

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 6729) to amend the Dependents Assistance Act of 1950 in order to make members of the Reserve and National Guard ordered to active duty for training periods of 30 days or more eligible for quarters allowance and to make allotments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

H.R. 6729

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Dependents Assistance Act of 1950 (50 App. U.S.C. 2204) is amended by inserting immediately before ": *Provided further*" the following: "; or (7) for the calendar months in which such member serves on active duty for training (including full-time duty performed by members of the Army or Air National Guard for which they receive pay from the United States under title 32) if that training is for a period of thirty days or more".

SEC. 2. Section 7 of the Dependents Assistance Act of 1950 (50 App. U.S.C. 2207) is amended by striking out "to enlisted members on active duty for training under section 262 of the Armed Forces Reserve Act of 1952, as amended (50 U.S.C. 1013), or any other enlistment program that requires an initial period of active duty for training".

With the following committee amendments:

On page 2, line 1, strike out "they receive pay from the United States under title 32) if", and insert in lieu thereof "they receive pay from the United States in accordance with section 204 of title 37, United States Code) if"

And on page 2, after line 11, insert:

"SEC. 3. The provisions of this Act shall become effective thirty days after enactment."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, the purpose of the bill is to authorize a dependents allowance for individuals in the Reserve and National Guard who are ordered to "active duty for training" for a period of more than 30 days.

EXPLANATION OF THE BILL

Under existing law, reservists ordered to "active duty for training" are precluded from eligibility for the supplementary monetary allowances authorized their active duty contemporaries under the provisions of the Dependents Assistance Act of 1950 as amended.

The denial of these Dependents Assistance Act allowances to reservists on extended active duty for training of more than 30 days has created financial hardship for those reservists who have dependents for whom they are financially responsible. Enactment of the legislation will therefore permit the payment of these supplementary allowances varying from $60 per month for one dependent, $90.60 for two dependents, and $105 for three or more dependents.

DEPARTMENTAL POSITION

The Department of Defense strongly recommends enactment of the legislation as amended, and the Bureau of the Budget interposes no objection.

FISCAL DATA

Enactment of this legislation will result in an increase in the Department of Defense's annual budgetary requirements of approximately $8,175,392.

COMMITTEE AMENDMENTS

There were two amendments; the first was technical and merely corrects a drafting error; and the second provides the military departments with a 30-day delay to enable the departments to properly promulgate and disseminate implementing regulations to the field.

COMMITTEE POSITION

The Committee on Armed Services unanimously recommends enactment of H.R. 6729.

TO MODIFY REQUIREMENTS NECESSARY TO ESTABLISH ENTITLEMENT TO INCENTIVE PAY FOR MEMBERS OF SUBMARINE OPERATIONAL COMMAND STAFFS SERVING ON SUBMARINES DURING UNDERWAY OPERATIONS

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 13720) to amend title 37, United States Code, to modify requirements necessary to establish entitlement to incentive pay for members of submarine operational command staffs serving on submarines during underway operations.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

H.R. 13720

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 301(a)(2)(A) of title 37, United States Code, is amended to read as follows:

"(a) during one calendar month: 48 hours; however, hours served underway in excess of 48 as a member of a submarine operational command staff during any of the immediately preceding five calendar months and not already used to qualify for incentive pay may be applied to satisfy the underway time requirements for the current months."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, the purpose of this legislation is to liberalize the statutory requirements relative to entitlement of submarine operational command staff personnel for incentive pay.

BACKGROUND

At the present time the law requires these staff personnel—approximately 471 staff officers and 633 enlisted personnel—to accumulate 48 hours of underway time during each calendar month in order to retain eligibility for submarine incentive pay.

Under the provisions of the bill, these personnel would be permitted to "bank" underway time and thus accumulate sufficient underway time so as to preclude the necessity for going to sea every month to comply with the existing statute.

NECESSITY FOR THE LEGISLATION

The statutory criteria requires modification to permit staff personnel to be assigned those underway submarine operations most meaningful to them and to submarine readiness requirements. This modification will therefore increase the effective utilization of submarine staff personnel without, in any way, increasing the number of personnel eligible for such incentive pay or the resultant personnel costs.

DEPARTMENTAL DATA

The Department of the Navy on behalf of the Department of Defense strongly recommends enactment of this legislation, and the Bureau of the Budget interposes no objection.

FISCAL DATA

Enactment of this legislation will not result in any increased costs for the Department of Defense or the Department of the Navy.

COMMITTEE POSITION

The Committee on Armed Services unanimously recommends enactment of the departmental proposal without amendment.

CORRECTING AN INEQUITY AFFECTING OFFICERS OF THE SUPPLY CORPS AND CIVIL ENGINEER CORPS OF THE NAVY

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 18146) to amend title 10, United States Code, to correct an inequity affecting officers of the Supply Corps and Civil Engineer Corps of the Navy.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

H.R. 18146

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6388 of title 10, United States Code, is amended as follows:

(1) Subsection (a) is redesignated as subsection "(b)" and is amended by—

(A) striking out "originally" and inserting "initially" in place thereof; and

(B) inserting "except the Supply Corps and the Civil Engineer Corps" after "any staff corps of the Navy".

(2) Subsection (b) is redesignated as subsection "(c)" and is amended by inserting "or (b)" after "subsection (a)".

(3) Subsection (c) is redesignated as subsection "(d)" and is amended by striking out "(b)" and inserting "(c)" in place thereof.

(4) Subsection (d) is redesignated as subsection "(e)".

(5) Subsection (e) is redesignated as subsection "(f)" and is amended by striking out "(d)" and inserting "(e)" in place thereof.

(6) A new subsection (a) is inserted reading as follows:

"(a) For the purpose of the preceding sections of this chapter, the total commissioned service of each officer on the active list of the Navy in the Supply Corps or the Civil Engineer Corps who was initially appointed as a Regular or as a Reserve in the grade of ensign in the line or any staff corps or in the grade of lieutenant (junior grade) in the Civil Engineer Corps and who has served continuously on active duty since that appointment shall be computed from June 30, of the fiscal year in which he accepted that appointment."

SEC. 2. Notwithstanding any other provision of law, an officer of the Navy in the Supply Corps or the Civil Engineer Corps who is not selected for promotion to a higher grade after the enactment of this Act may not be retired under chapter 573 of title 10, United States Code, earlier than he would have been retired had this Act not been enacted.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, the purpose of the proposal is to eliminate an inequity affecting officers of the Supply Corps and Civil Engineer Corps of the U.S. Navy.

EXPLANATION OF THE BILL

The term "total commissioned service" as presently defined in section 6388 of title 10, United States Code, precludes the crediting of all commissioned service performed by certain officers appointed in the Supply Corps and Civil Engineer Corps of the U.S. Navy. This interpretation by the Comptroller General of the United States adversely affects some officers in the computation of their severance pay and benefits other officers who are permitted to be retained on active duty beyond the point at which their contemporaries are required to be separated. Neither of these two results are equitable and therefore the legislation would eliminate this inequity by making all active commissioned service count for all purposes.

DEPARTMENTAL DATA

The bill as introduced and reported by the Committee on Armed Services represents a Department of Defense legislative recommendation.

FISCAL DATA

Enactment of this proposal will not result in any increase in budgetary requirements for the Department of Defense.

COMMITTEE POSITION

The Committee on Armed Services unanimously recommends enactment of H.R. 18146 without amendment.

ARMED FORCES HEALTH SERVICES CAREER INCENTIVES ACT

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 16254) to amend title 10, United States Code, relating to the authorized strengths and grades for certain medical, dental, veterinary, medical service, and biomedical sciences officers of the Armed Forces.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

H.R. 16254

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Health Services Career Incentives Act".

SEC. 2. Title 10, United States Code, is amended as follows:

(1) Section 3202 is amended by amending subsections (e) and (f) to read as follows:

"(e) The authorized strengths of the Army in officers in the Medical Corps, Dental Corps, Veterinary Corps, and Medical Service Corps in grades below brigadier general shall be based on the needs of the Army, as determined by the Secretary under regulations to be prescribed by the Secretary of Defense.

"(f) In determining the authorized strength of the Army in grades below brigadier general under subsection (a), the strengths authorized for the Medical Corps, Dental Corps, Veterinary Corps, and Medical Service Corps shall be excluded."

(2) Section 3210(e) is amended by adding the following sentence at the end:

"For purposes of determining whether a vacancy exists in the authorized strength for general officers prescribed under subsection (a), an officer holding the grade of brigadier general under the provisions of this subsection shall be disregarded."

(3) Section 5139(a) is amended by striking out the third sentence.

(4) Section 5444 is amended by adding the following new subsection at the end:

"(g) The number of officers serving on active duty in the grade of rear admiral in the Medical Service Corps is one. An officer holding the grade of rear admiral under this subsection shall be disregarded in determining for any purpose the authorized strength of officers serving on active duty in the grade of rear admiral and above."

(5) Chapter 545 is amended as follows:

(A) by amending section 5793 to read as follows:

"§ 5793. Authorized strengths in grade and promotions of Medical Corps, Dental Corps, and Medical Service Corps officers

"Notwithstanding any other provisions of this title, the authorized strengths of officers of the Medical Corps, Dental Corps, and Medical Service Corps in grades below rear admiral, and the selection and promotion of those officers to such grades, shall be based on the needs of the Navy, as determined by the Secretary under regulations to be prescribed by the Secretary of Defense."; and

(B) by amending the last item in the analysis to read as follows:

"5793. Authorized strengths in grade and promotions of Medical Corps, Dental Corps, and Medical Service Corps officers."

(6) Section 8202 is amended by striking out subsections (e) and (f) and inserting in place thereof the following:

"(e) The authorized strengths of the Air Force in officers who are designated as medical, dental, veterinary, medical service, and biomedical sciences officers of the Air Force in grades below brigadier general shall be based on the needs of the Air Force, as determined by the Secretary under regulations to be prescribed by the Secretary of Defense.

"(f) In determining the authorized strength of the Air Force in grades below brigadier general under subsection (a), the strengths authorized for those officers who are designated as medical, dental, veterinary, medical service, or biomedical sciences officers of the Air Force shall be excluded.

"(g) The authorized strength of the Regular Air Force in general officers on the active list of the Regular Air Force who are designated as dental officers of the Air Force is one commissioned officer in the regular grade of major general.

"(h) The authorized strength of the Regular Air Force in general officers on the active list of the Regular Air Force who are designated as veterinary officers of the Air Force is one commissioned officer in the regular grade of brigadier general.

"(i) The authorized strength of the Regular Air Force in general officers on the active list of the Regular Air Force who are designated as medical service or biomedical sciences officers is one commissioned officer in the regular grade of brigadier general.

"(j) For purposes of determining whether a vacancy exists in the authorized strength for general officers prescribed under subsection (a), any officer holding the grade of major general or brigadier general under the provisions of subsections (g), (h) or (i) shall be disregarded."

SEC. 3. This Act becomes effective July 1, 1968.

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider was laid on the table.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, the purpose of H.R. 16254 is to provide more uniform career opportunities for officers in the armed services in the Dental Corps, Medical Service Corps, Biomedical Science Corps, and the Veterinary Corps.

The bill would provide permissive authority to the military departments to set up a uniform promotion policy within each of the services for these staff corps officers without regard to the grade limitations imposed on the officers of the line in each of the armed services.

The legislation would also designate the chief dental officer of the Air Force to have two-star rank; provide that the Medical Service Corps in each service would have an officer of one-star rank; and provide that the veterinary corps in the Air Force, like the Army, would have one officer in the grade of brigadier general.

DEPARTMENTAL DATA

The Department of Defense does not support enactment of H.R. 16254. The Department advises that it has no objection to the permissive authority relating to exempting these staff corps officers below the grades of brigadier general and rear admiral from the statutory grade limitations but does object to designating certain billets as requiring a flag or general officer.

FISCAL DATA

Enactment of this legislation will not require any increase in Department of Defense personnel budgetary requirements.

COMMITTEE POSITION

The Committee on Armed Services unanimously recommends enactment of H.R. 16254 without amendment.

AUTHORIZING SECRETARY OF ARMY TO QUITCLAIM CERTAIN REAL PROPERTY IN MUSCOGEE COUNTY, GA.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2908) to authorize the Secretary of the Army to quitclaim certain real property in Muscogee County, Ga., which is pending on the Private Calendar and is identical to the bill, H.R. 14711.

This bill was passed by the Senate on Saturday, July 20, before the House bill had been reported.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. BENNETT]?

Mr. TALCOTT. Mr. Speaker, reserving the right to object, has this bill been called on the Private Calendar in the regular order?

Mr. BENNETT. Has it been? It has not.

Mr. TALCOTT. Has it been reported to the House by the committee in the House?

Mr. BENNETT. It has passed the subcommittee and the full committee and also passed the Senate.

The only reason for handling it in this manner is because if we should pass the House bill separately, there may be some complications in getting the two bills together.

This is just passing the bill in the easiest possible way.

Mr. TALCOTT. May I ask the gentleman why he is asking for the consideration of the bill in this way out of the regular order rather than on the Private Calendar?

Mr. BENNETT. It is because of the necessity—if you want to call it a necessity—that this is easier and to pass the bill expeditiously in this way. In other words, it could be called up on the Private Calendar but that would mean another delay of a week or so and the Congress might adjourn as the gentleman from Illinois [Mr. GRAY] can tell you since the gentleman is a member of the subcommittee.

There is no contention about this at all. It is just a bill to authorize the Secretary of the Army to quitclaim certain real property in Muscogee County.

Mr. TALCOTT. Was it considered by the Committee on the Judiciary or the Committee on Armed Services?

Mr. BENNETT. No, the Committee on the Judiciary has no jurisdiction with respect to this.

The subcommittee of the Committee on Armed Services held a full hearing on it. There was no objection to it at all at any time and it was passed unanimously by the subcommittee and by the full committee.

Mr. TALCOTT. Mr. Speaker, I withdraw my reservation of objection.

Mr. HALL. I simply wish to query the gentleman as to whether there is a report on H.R. 14711 or S. 2908, which I understand is identical legislation, available?

Mr. BENNETT. There is.

Mr. HALL. I have been unable to obtain one.

Mr. BENNETT. Here is a copy of the report.

Mr. HALL. I am in favor of the bill, and do recall when it was before the subcommittee.

Mr. BRAY. I can hand the gentleman from Missouri a copy.

Mr. HALL. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2908

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army shall quitclaim, without payment of monetary consideration therefor, to William T. Heard, Junior, of Muscogee County, Georgia, all right, title, and interest of the United States in that tract or parcel of land situate, lying and being in land lot numbered 252 of the tenth land district of Muscogee County, Georgia, and more particularly described as all of that part of land lot numbered 252, tenth land district, Muscogee County, Georgia, which lies north of the northerly margin of the Central of Georgia Railway Company right-of-way in said land lot numbered 252, said tract consisting of sixty-two acres, more or less, and being a part of the real estate described in and conveyed to James W. Jackson by deed from C. M. Smith, recorded in deed book Z, folio 336, in the office of the Clerk of the Superior Court of Muscogee County, Georgia.

Mr. BENNETT. Mr. Speaker, H.R. 14711 which is identical to S. 2908, is a bill to authorize the Secretary of the Army to quitclaim certain real property in Muscogee County, Ga.

The purpose of this bill is to remove a cloud on the title to a parcel of land purchased in 1963 by Mr. William T. Heard, Jr., from the heirs of Mr. James W. Jackson. This parcel of land consists of approximately 62 acres lying north of the Central of Georgia Railway right-of-way and being situated in land lot 252, 10th land district, Muscogee County, Ga. A cloud on the title to this property arose in 1942 when the U.S. Army purchased from the heirs of Mr. James W. Jackson all of their property located in land lot 252 located south of the Central of Georgia right-of-way. However, by mutual mistake, a companion deed erroneously quitclaimed all interest in all property located in the land lot 252. This, of course, included the 62 acres located north of the railway right-of-way.

The United States has never claimed title to this 62 acres nor has it ever exercised control over it. To the contrary, the heirs of the former owner and the present owner have consistently paid taxes on the 62 acres and exercise complete control over it.

The Secretary of the Army does not have authority to execute a quitclaim deed to clear this title. This bill provides such authority to the Secretary of the Army.

Obviously, this being a mutual error, there is no monetary consideration involved.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 14711) was laid on the table.

AUTHORIZATION FOR THE SECRETARY OF THE ARMY TO MODIFY CERTAIN USE RESTRICTIONS

Mr. BENNETT. Mr. Speaker, I ask unanimous consent for the immediate consideration of S. 3495, to authorize the Secretary of the Army to modify certain use restrictions on a tract of land in the State of Iowa in order that such land may be used as a site for the construction of buildings or other improvements for the Iowa Law-Enforcement Academy.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3495

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized to modify on behalf of the United States the land use restriction applicable to a tract of land constituting a portion of a larger tract of State-owned land and also a portion of lands heretofore conveyed by the United States to the State of Iowa pursuant to the Act entitled "An Act to direct the Secretary of the Army to convey certain property located in Polk County, Iowa, and described as Camp Dodge and Polk County Target Range, to the State of Iowa", approved June 1, 1955 (69 Stat. 70), so that such tract with respect to which such modification is given may be used by such State for law enforcement academy purposes. The exact description of the tract with respect to which such restriction is modified by the Secretary pursuant to this authority shall be agreed upon by the Secretary and the State of Iowa, but in no event shall the total area of such tract exceed nine acres.

SEC. 2. The Secretary of the Army is authorized to impose such terms and conditions on the modification authorized by this Act as he deems appropriate to protect the interests of the United States. All expenses for surveys and the preparation and execution of legal documents necessary or appropriate to carry out the provisions of this Act shall be borne by the State of Iowa.

Mr. BENNETT. Mr. Speaker, S. 3495 authorizes the Secretary of the Army to release certain use restrictions on a tract of land in the State of Iowa in order that such land may be used as a site for the construction of buildings or other improvements for the Iowa Law Enforcement Academy.

By Public Law 50 of the 84th Congress, the Secretary of the Army was authorized and directed to convey by quitclaim deed, without consideration, to the State of Iowa, all right, title, and interest of the United States in and to the Camp Dodge Military Reservation and Polk County Target Range to the State of Iowa for use as a training base for the Iowa National Guard and for other military purposes.

The original deed of conveyance stated that should the State of Iowa cease to use the property for the purposes intended, then the title should immediately revert to the United States together with all improvements made thereon.

The State of Iowa now has requested the concurrence of the Department of the Army to permit the use of a 9-acre tract located within the land conveyed by the United States for the construction of facilities to house the Iowa Law Enforcement Academy. The facilities will be used primarily to train policemen. However, joint use will be made for training the National Guard in connection with civil disturbances. The use of this 9-acre tract by the academy will not interfere with the use of the remainder of this large reservation for National Guard purposes.

The Department of the Army considers that the proposed construction and operation of the Law Enforcement Academy is not adverse to the National Guard training or future military requirements. The additional facilities should, in fact, prove of mutual benefit to the State and Federal Government.

Mr. SMITH of Iowa. Mr. Speaker, I rise to urge passage of S. 3495, a bill relating to the use of certain land at Camp Dodge, Iowa. The bill amends a law passed in 1955.

When the Federal Government transferred the land, which is now used for a National Guard training center, to the State of Iowa, a reverter was included in the deed to provide that the land shall revert to the United States whenever it is no longer used for National Guard purposes. The State of Iowa now desires to use 9 acres of this tract for a statewide law-enforcement academy. The Department of the Army is of the opinion that unless the original conveyance is modified to specifically permit this kind of use without reversion that the 9-acre tract so used might revert to the United States.

This bill merely authorizes a modification of the conveyance so that a 9-acre tract can be used by the State of Iowa for a law-enforcement academy without the State losing the right to possession of the land. I believe this provides a full explanation of the purpose of the bill, but any further details can be found in the report issued by the Armed Services Committee.

I had introduced H.R. 17612, which would provide the same results as the bill now before the House. As the Members know, where there are bills providing the same results in both the House and Senate, we enact into law whichever bill happens to pass the respective body first. Through no fault of the House committee, which had a very loaded docket, the Senate committee reported out this bill first and it passed the Senate a few days ago. Under the circumstances, the thing to do is to pass the Senate bill and I therefore urge that my colleagues support passage of the bill now before the House.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

NATIONAL FAMILY HEALTH WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 1404, authorizing and requesting the President to proclaim the week of November 17 through 23, 1968, as "National Family Health Week."

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 1404

Whereas good health is a blessing prized above all others by every citizen, and

Whereas the well-being of the Nation depends upon the maintenance of good health among all segments and elements of our population, and

Whereas the family physician performs a critical service to the Nation in the maintenance of health and the prevention of disease, and

Whereas the Nation's family doctors have a unique responsibility in the American health care system, since they are the individual's primary source of contact with the medical profession, and

Whereas the dedication and skill of family physicians have served as the foundation of medical progress in this Nation, and

Whereas the family doctor's role as a physician and counselor to the whole person and the entire family embraces the widest scope of basic medical necessity, including advice on subjects ranging from personal health to family planning to emotional well-being, and

Whereas the American Academy of General Practice, national professional association of family physicians, is conducting a continuing effort to educate the public in the progress of our health care system and supports measures for its improvement: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to officially proclaim the week of November 17 through 23, 1968, as "National Family Health Week" as a means of focusing national attention during the year upon the accomplishments of the American health care system and the central role played by the family physician in the maintenance of superior medical care for Americans of all ages and from all walks of life.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On pages 1 and 2 strike out all "whereas" clauses.

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

PROFESSIONAL PHOTOGRAPHY WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 181, to authorize the President to designate the week of August 4 through August 10, 1968, as "Professional Photography Week."

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 181

Whereas professional photography is vital to the economy and welfare of our Nation, touching upon every aspect of this country's economic, scientific, industrial, and family life; and

Whereas one hundred and fifty thousand men and women are engaged in the practice of professional photography; and

Whereas a billion-dollar industry is generated and supported by the activities of the professional photographer; and

Whereas the work of the professional photographer is used by industry in product design, research, manufacture, the promotion of safety, training, purchasing, and sales; and

Whereas professional photography communicates and educates and illustrates in advertising, in our courts, on our farms; and

Whereas in our reach toward outer space, in our search of the oceans' depth, and in research in our hospitals and laboratories

throughout the land the professional photographer serves the cause of science; and

Whereas the professional photographer records history for our edification today and the benefit of our posterity; and

Whereas professional photography as an art form enriched the cultural life of America; and

Whereas professional photography continues in its traditional role of remembrance and recording those we love: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That as a tribute to the professional photographer and his many works and in recognition of the importance of professional photography in our life today and in America's future, the President is authorized to issue a proclamation designating the week beginning August 4 through August 10, 1968, as "Professional Photography Week", and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

AMENDMENT OFFERED BY MR. ROGERS OF OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On pages 1 and 2 strike out all "whereas" clauses.

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

The motion to reconsider was laid on the table.

NATIONAL HISPANIC HERITAGE WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1299) authorizing the President to proclaim annually the week including September 15 and 16 as "National Hispanic Heritage Week."

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 1299

Whereas it is in the tradition of our country to recognize, cherish, and conserve the many cultural contributions of the people who have helped achieve the greatness of our Nation;

Whereas our country is constantly searching for ways to assist the development of our neighbor nations, and, through positive approaches, attain mutual understanding, respect, and appreciation of our cultures, heritage, and arts;

Whereas seven of our States, Arizona, California, Colorado, Florida, Nevada, New Mexico, and Texas; the Commonwealth of Puerto Rico; and many of our cities and towns proudly bear Hispanic names, as part of our tradition;

Whereas the national census shows that a considerable portion of our population also bear Spanish surnames, especially in our Southwestern States and in New York City;

Whereas many cities, towns, and regions were initially developed by citizens of Hispanic origin, as attested by our history;

Whereas in a large part of our country, the Mexican Independence Days, and the independence day of some of our Latin sister Republics, are celebrated on September 15 and 16;

Whereas the Spanish surnamed population has contributed the highest proportion of Medal of Honor winners through acts of bravery and determination in the defense of our land: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue annually a proclamation designating the week including September 15 and 16 as "National Hispanic Heritage Week" and calling upon the people of the United States, especially the educational commmunity, to observe such week with appropriate ceremonies and activities.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On pages 1 and 2, strike out all "whereas" clauses.

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO FILE A CONFERENCE REPORT ON S. 3497

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight tonight to file a conference report on S. 3497, the Housing and Urban Development Act.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

HOUR OF MEETING ON WEDNESDAY, JULY 24, 1968

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. CORMAN. Mr. Speaker, reserving the right to object—and I shall not object—I take this time to inquire of the majority leader what we might anticipate as to the time tomorrow evening when we might expect to adjourn, whether our coming in an hour early permits us to adjourn at an earlier hour, assuming we are able to complete this bill tomorrow?

Mr. ALBERT. Mr. Speaker, answering for myself, I would say it would be our intention to finish this bill, the gun bill tomorrow, and we hope to adjourn at a reasonable time, but if we cannot finish it by 5 or 6 o'clock, I would not be in favor of rising. I would be in favor of finishing that bill, but I would not be in favor of starting another bill at 5 o'clock or 6 o'clock. Does that answer the gentleman?

Mr. CORMAN. Mr. Speaker, I share the gentleman's lack of enthusiasm for starting on new legislation at 5 o'clock or 6 o'clock tomorrow, and it has been my experience in this House that we can rarely bring a controversial bill to a vote before 5 o'clock or 6 o'clock or 7.

Mr. ALBERT. As far as I am concerned, we can finish the gun bill tomorrow.

Mr. CORMAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DEMOCRATIC CAUCUS ON FRIDAY MORNING, JULY 26, AT 10 O'CLOCK

Mr. McCORMACK. Mr. Speaker, I want to announce publicly that there will be a Democratic caucus on Friday morning at 10 o'clock for the purpose of filling a vacancy that exists on the Ways and Means Committee by reason of the resignation of the gentleman from Florida [Mr. HERLONG], whose resignation has been accepted today. I want to make this announcement for the benefit of my Democratic colleagues, so we can have as democratic a caucus as possible.

TRANSPACIFIC ROUTE CASE

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, a major decision in the field of foreign relations will be made soon by the Civil Aeronautics Board and then will be submitted to the White House for final action. I refer to the Transpacific Route case, which involves and will shape our air policy in the Pacific and the Orient, and will ultimately affect our commercial air operations throughout the world.

Questions have been raised by this case which I, for one, believe deserve to be answered. Because of the scope of this case and the far-reaching effects the decision must have on our future, we had better ask those questions now and have them answered before events themselves give their irrevocable reply.

According to the recommendation by a Civil Aeronautics Board examiner, where we now have two U.S. airlines serving the major Pacific routes, we shall have four more American carriers sharing those routes, competing among themselves for passengers and freight.

These U.S. airlines will also be competing against foreign airlines, the majority of whom are government owned and operated.

The case has been in the hands of the CAB for a long time. It is a complex matter. The examiner has had to weigh the arguments of 17 airlines against each other and for the public interest.

All international air agreements develop from intergovernmental dealings but, because the major competing foreign airlines serving the vast Pacific area are, with two exceptions, government owned either in part or in entirety, this situation will call for particularly painstaking discussions.

Specifically, what may these foreign nations expect in return for opening their cities and markets to more U.S. airlines which will compete with their own nationalized carriers?

If the CAB adopts the examiner's recommendations and they are approved by the President, we will have to enter a long, drawn out round of negotiations with these foreign governments. This country will have to meet some conditions put forward by those with whom we will be bargaining. The final agreements will change the transportation environment in which our airlines now thrive in the Pacific. We must beware that we do not lose more than we win. The examiner's recommendations put us in that danger.

A policy concerning our commerce in the skies of the world was clearly enunciated by a White House task force, and was approved by the late President Kennedy, in 1963. I quote a key passage:

> We should continue to aim for a U.S. carrier system in which one U.S. flag carrier has access to world markets on a scale comparable to that of the flag carriers or combinations of carriers of other major civil aviation powers, and other U.S. carriers continue to be authorized to serve one or more areas of the world in over-all competition with this carrier.

I call your attention to the phrase, "combinations of carriers of other major civil aviation powers," to which I shall return later.

For the past 5 years the United States has adhered to the policy stated in 1963. It has proved successful. Under it, we have garnered 44.6 percent of the Atlantic market, and 59.6 percent of the transpacific market.

But now we have a recommendation that this policy be put aside in the Pacific. The purpose of such a move eludes me.

For three decades, the United States has had a flag airline, operating under all the risks of the free enterprise system, representing this Nation in the Pacific. I refer to Pan American World Airways, which opened the Pacific when its famed China Clipper made the first commercial flight from San Francisco to Manila, in 1935.

Today, the major Pacific routes are apportioned between Pan American and Northwest Orient Airlines, in competition with each other and in competition against, literally, a horde of foreign airlines coming from all directions, the overwhelming majority of them little more than airborne functions of the governments that own and operate them.

One other American carrier operates in the Pacific: United Air Lines, which competes against Pan American on the Hawaii route from southern California, as does Northwest vie for passengers with Pan American from the northern portion of the west coast.

The competition is intense along these routes, but no more intense than throughout the entire Pacific area beyond Hawaii. And now, with the advent of the giant Boeing 747's a little more than a year or so away, the hope of more economical operations arises and others now seek to reap the harvest that has been sown by Pan American and Northwest, who managed to stay financially alive in the Pacific during the lean years.

So we have a recommendation that four more U.S. carriers share the routes two now fly and that all six American carriers compete not only among themselves but against the entrenched foreign airlines.

I wonder how much sense this makes. The examiner realized that 17 U.S. airlines was too many for the Pacific. But does six make any sense? Are we about to divide ourselves so that others may conquer us in the Pacific marketplace?

My concern rests upon several considerations.

Presently, we have two U.S.-flag airlines flying the Atlantic to major European cities. Trans World Airlines and Pan American.

The CAB turned down requests by another airline to share the transatlantic routes. The CAB decision was not only in line with our stated policy, it made sense economically.

Despite the heavy traffic across the Atlantic, dividing the U.S. share of that business among more U.S. airlines would not have strengthened the airlines nor protected the U.S. share of that traffic. Instead, it would have allowed each airline a smaller portion of the market. That is what has happened to the numerous European airlines on the Atlantic routes.

Instead of two U.S. airlines dividing the transatlantic routes, we would have three vying against each other, opening offices abroad, paying salaries abroad, buying advertising and myriad services abroad. We would have duplication of effort for the same total share of the traffic—if we did not end up with less.

Only the foreign airlines, owned wholly or partially by the European governments, would be the principal beneficiaries of such a change in our air policy. So the CAB now has before it a recommendation to overturn our air policy in a much more fragile sector of the world: the Pacific.

Transpacific passenger volume is only one-eighth of that carried across the Atlantic. Air cargo in the Pacific amounts to only one-fifth of that flown across the Atlantic. Those are figures for 1965, taken by the CAB examiner as the base year.

It is only commonsense to ask, if the CAB sees fit to permit only two U.S.-flag carriers to compete in the richer Atlantic market, how the examiner can justify recommending that a passenger market eight times smaller be sliced still thinner?

Competition from foreign airlines is as rough on the Pacific as it is on the Atlantic. We ought to be strengthening our position in that vast area, rather than dividing our efforts there. Let me give you an instance of just how rough the competition is in the Pacific, with the development of commercial foreign airpower.

Between 1960 and 1965 in the Pacific, the number of American citizens who flew on foreign carriers increased 284.8 percent, but the number of foreign citizens who flew on U.S. carriers rose only 67 percent. Other nationalities stand in back of their flag airlines. I submit we must do the same, in order to compete.

But if we are to weaken our established flag airlines in this growing market, I want to know why. I want to know at what cost to the United States.

Let us glance at South America. Again, two airlines represent the United States. Using the 1965 figures, passenger traffic between the United States and South America was double that of the transpacific routes. The volume of air freight was 50 percent greater than the amount of air cargo flown between the United States and the Orient, and the United States and the South Pacific, combined.

Why is our international air policy good for the Atlantic and good for South America, but bad for the Pacific?

In the Pacific, the two U.S.-flag airlines face competition from seven foreign airlines. They are the British Overseas Airways Corp., Qantas, Japan Air Lines, Philippine Air Lines, Air New Zealand, Canadian Pacific Air Lines, and a French carrier, UTA.

The Canadian airline is privately owned. UTA is associated with Air France, which is government owned. The other five are government owned. These governments have the power arbitrarily to impose conditions on U.S. carriers in order to gain competitive advantages. And they have done so.

Of the nationalized airlines, BOAC, Qantas, and Air New Zealand are joined in pact giving them enormous economic arrangements enabling them to suffocate divided competitors at will.

They can prevent passengers from flying on other airlines by setting schedules so that passengers who must change planes find it much more convenient to switch to a plane operated by a fellow member of the consortium. When tickets are sold for journeys requiring transfers from one airline to another, the tickets are written so that consortium members receive the revenue. Together, they are a sledge hammer muscled with Government funds. Divided American competition could not survive in this cutthroat atmosphere.

Now we have two airlines serving Tokyo. We have two airlines serving Great Britain. What has this cost us?

Japan Air Lines has a round-the-world service, from Tokyo to California to New York to Europe and back to Tokyo. BOAC flies around the world via the United States.

These two airlines, and the Australian airline, Qantas, also enjoying a route across the United States, have siphoned business away from our domestic airlines within the United States. They take even more revenue from our international carriers, which are subject to regulation by the Governments of Japan and Great Britain and Australia.

The Japanese Government owns 58 percent of Japan Air Lines. The British Government owns 100 percent of BOAC. Qantas is 100 percent Government owned.

To compete with foreign-flag airlines requires that we maintain the strength

of our own flag carriers, not set them in an overcrowded cockpit and let them fight it out—the winner, if any, to be picked off at leisure by a competitor whose wealth depends less on earnings than on its nation's treasury.

When the cockpit is in the South Pacific, as an example, the result could be disaster. The passenger traffic in the South Pacific is only 4 percent that of the traffic on the Atlantic routes. Diluting U.S. airlines service there would, by economic necessity, mean increased expense of operation per passenger carried. There would not be enough passengers to fill the planes of several airlines.

Pan American has testified that, in 1970 alone, it will lose nearly $11 million in revenue in the South Pacific, and revenues of $100 million throughout the entire Pacific, if forced to operate under the examiner's recommendations.

With these factors in mind it becomes obvious that the phrase, "combinations of carriers of major aviation powers," was included in the 1963 statement of our international air policy, for good reason.

This awareness of the facts of international airline life is also reflected in another portion of that statement explaining why U.S. policy was modified into what it is today, in order to provide a balance between monopoly and dog-eat-dog competition between our own carriers:

The multicarrier policy of the United States was developed at a time when the United States was by far the world's preeminent air power and other countries' carriers provided only weak competition. This condition no longer obtains in most areas.

Nonetheless, achievement of the traditional policy of more than one strong U.S. carrier, and maintaining a competitive structure which strikes a balance between monopoly operation and excessive competition, is sound, possible, and necessary.

In implementing this policy, direct point-to-point competition between U.S. competitors, when considered in the light of existing foreign competitions undoubtedly raises a number of serious questions. Such competition would be justified, for example, on routes which have sufficiently high traffic density or where operating factors so requires such as the points which constitute a logical terminus on long-haul routes.

In other words, if transatlantic traffic will not support more competition between U.S. carriers, and the South American routes will not bear any more competition between U.S. carriers, then certainly the thin Pacific market must be expected to crumple under the weight of more U.S. carriers.

Mr. Speaker, before we find ourselves facing the as yet unknown repercussions of superceding our accepted and successful international air policy, I strongly recommend to the Department of State that its experts examine with particular care what these repercussions may be. We must look carefully to avoid leaping with too many feet into the Pacific, for it is not only the world's widest ocean, it is the deepest.

TWO ECONOMIC ANALYSES PREDICTING RECESSION

Mr. WHALEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WHALEN. Mr. Speaker, there were many Members of the House, as well as eminent spokesmen in the Nation's academic, business, and financial communities, who had strong reservations about the advisability of enacting the 10-percent surtax.

I shared this view and was among the minority voting against the Revenue and Expenditure Control Act.

My concern, then, as now, centered on the "double blow" imposed upon the economy by the $10 billion tax increase and the accompanying $6 billion spending reduction.

The economy already was deteriorating as a result of a restrictive monetary policy. Approval of the tax measure created two further depressants:

First, a cut in spending and increased taxes, per se, will reduce individual purchasing power, especially among those many millions of Americans living on fixed incomes.

Second, lower net profits stemming from the tax increase not only will reduce corporate plant investment capabilities but will discourage plans to step up capital expenditures.

The effect of these two suppressants will be magnified early in 1969 when, first, taxpayers must pay "back taxes" resulting from the retroactive feature of the Revenue and Expenditure Control Act of 1968, and, second, employers and employees must pay higher social security taxes.

These are the factors I cited in explaining my position preceding and during consideration of the bill.

Thus, the conclusion I reached was that the tax package will not stop the present cost-push inflationary spiral. Nor will it result in any immediate lowering of interest rates which have responded primarily to international influences.

Fiscal restraint very definitely is needed. However, on June 20, 1968, the House was presented with a Hobson's choice, that is, either no restraints at all—if one opposed the bill—or an economic overkill—if one supported the bill. I believe that "no medicine" or "fatal medicine" were not the only alternatives.

From an economic standpoint, a selective $8 billion cut in less essential appropriations would have been more preferable. Unfortunately, this choice was not open to the Members of this body.

Mr. Speaker, I would like to bring to the attention of my colleagues two other analyses of what the future holds for the economy. One is the "Industry Forecast," published by S. Jay Levy, Chappaqua, N.Y., on behalf of the New York brokerage firm, Oppenheimer & Co. In the June 22, 1968, issue of this publication, Mr. Levy flatly predicts:

A recession will begin at about October, 1968.

He concludes:

For the first time in United States history, government has gone out of its way to legislate a recession.

The second economic analysis appeared in today's editions of the Washington Post—Tuesday, July 23, 1968. Columnist Joseph R. Slevin notes:

The U.S. economy is rapidly swinging from a rip-roaring boom to the brink of a recession . . . the recession threat is erupting many months ahead of schedule. A tough Federal Reserve System credit squeeze and the recently-enacted surtax are responsible.

Mr. Speaker, I herewith insert these two analyses in the RECORD:

[From Industry Forecast, June 1968]

RECESSION

A recession will begin at about October 1968. Production in the fourth quarter will be below its early summer peak. Christmas season retail business will be disappointing. Profit margins in the final '68 quarter will be lower than at any time since 1961. The upward industrial price trend will level off. Consumer prices, advancing more slowly than recently, will still be "inflationary."

The recession will result from higher taxes on consumers, less instalment borrowing, weaknesses in construction outlays, and efforts of business to reduce inventories. These recessionary developments will have drawn more than $20 billion (annual rate) demand for goods and services from the economy between the second and fourth quarters of 1968. Business prosperity and profits are especially sensitive to the sources of purchasing power that will be adversely affected.

The most prominent of the recessionary influences is the fiscal package, the income tax surcharges and limitations on Federal spending, just enacted into law. The increase in personal taxes will take more than $7 billion from consumer income in the fiscal year that begins on July 1. Consumers' net short term borrowing will be at least $2 billion (seasonally adjusted annual rate) less in the final quarter of calendar 1968 than in the current quarter. Inventory accumulation, which may reach a rate of $10 billion a year in the current quarter, will drop to around 0. The high interest rates of recent months will take a toll of residential, commercial, and state and local government construction during the second half of 1968. The postponed and cancelled construction projects will represent outlays of more than $3 billion (annual rate).

HOUSING STARTS DROP—PRODUCTION RESUMES UPTREND—INDUSTRIAL PRICES DIP

	May 1967	Mar. 1968	Apr. 1968	May 1968
Industrial production (1957–59=100)[1]	155.6	163.0	162.5	163.7
Industrial wholesale prices (1957–59=100)	106.0	108.6	108.8	108.6
Retail sales[1]	$25,900,000,000	$28,100,000,000	$27,600,000,000	$27,900,000,000
Total business inventories[1]	$137,200,000,000	$141,900,000,000	$143,200,000,000	(2)
Housing starts (annual rate)[1]	1,274,000	1,500,000	1,586,000	1,331,000
Employment[1]	73,550,000	75,802,000	75,636,000	75,829,000
Unemployment[1]	2,952,000	2,856,000	2,707,000	2,784,000
Average hourly earnings manufacturing	$2.81	$2.96	$2.97	$2.98

[1] Seasonally adjusted.
[2] Not available.

Withholding taxes for most employees will increase 10% early in July. On September 15, individuals who send quarterly remittances to the Internal Revenue Service on estimated taxes will increase their payment 15% to meet their current liabilities to the Treasury and to begin to catch up on their second quarter obligations that were created by the retroactive feature of the new law. The increase in personal taxes will by itself cause a notable decline in the rate of gain in retail sales.

Retail volume will be negatively affected by a decline in instalment purchasing. Consumers will be less able to meet debt payments because of their larger tax payments and also because of shorter work week and less overtime in industries that have been producing steel and products made from steel including automobiles.

Industry from August onward will be working down those stocks that were built up as a hedge against a possible steel strike. By October it will be increasingly concerned about other inventories that will then be rising because sales fail to meet expectations.

The efforts of business to lower inventory-sales ratios will prevent production from rising during the last half of 1968. The industrial output index is setting a record in the second quarter that will not be equalled in the third and fourth periods.

Expenditures for new industrial plant and equipment, which have been in an unenthusiastically upward trend, will not be encouraged by the economy's setback in the second half. Manufacturers, who now have ample facilities to meet the demand for their products, will experience a large increase in idle capacity as production declines.

Residential construction has begun to feel the effects of record interest rates and quite tight mortgage money. Housing starts, the number of building permits issued for new dwellings, and applications, for mortgage financing have turned downward. Financing obstacles have also slowed the pace of commercial construction including the erection of shopping centers, stores, and other structures which serve expanding residential communities.

Interest rates will decline within a few months. But easier mortgage money will not immediately cause a pickup in construction. Even those builders who quickly arrange for financing when mortgage money begins to ease will be unable to start construction until such preliminaries as the filing of plans and site work are completed. Some builders will wait to see if the interest rate trend becomes still more favorable and to appraise the effects of declining prosperity on housing markets. Such delays will be encouraged in northern areas of the country by the onset of winter.

Strong demand for personnel to fill summer jobs will give vigor to the favorable employment trend in its final months. But by September job seekers in industry will often find that the welcome mat has been withdrawn. Stores during the Christmas shopping season will be looking harder for customers than for sales help.

The large number of management-labor contracts that run for two and three years and provide for annual wage raises will cause costs to continue to increase. Business, which has managed to hold its prices quite successfully in previous post war recessions, will generally avoid price reductions in late 1968. Some prices will continue to rise. Steel producers will be likely to increase prices following their new agreement with labor. Many manufacturers who have to pay more for steel will believe that they have no choice but to try to pass along increased steel and other costs.

Business, caught between weakening demand and rising costs, will end up with narrower profit margins. Profits will drop below the level of the first quarter of 1968 and profit margins will be at eight year lows. Because of lower profits, the Treasury will collect less profit taxes in the new fiscal year than it would have had there been no tax rise and no recession.

For the first time in United States history, government has gone out of its way to legislate a recession.

JUNE 22, 1968.

S JAY LEVY.

[From the Washington (D.C.) Post, July 23, 1968]

SURTAX, CREDIT SQUEEZE PUSH PREMATURE RECESSION THREAT

(By Joseph R. Slevin)

The U.S. economy is rapidly swinging from a rip-roaring boom to the brink of a recession and it will take only a little push to shove it over the edge.

The recession threat is erupting many months ahead of schedule. Government economists had feared that business might turn down early in 1969 but the danger now is that a slump could begin this fall.

A tough Federal Reserve System credit squeeze and the recently enacted Vietnam surtax are responsible. The one-two punch is about to cause a dramatic business slowdown. While the Federal Reserve is starting to make money easier, the combined impact of tight money and higher taxes still could touch off an early recession.

"We want to slow economic activity but the question is whether we may be slowing it too much," a high official declares. "We could be slowing it past the stalling point. If we do, there will be a recession."

"This is tricky," a worried Government forecaster agrees. "You're trying to get into quieter water and you want to stay there. But if things don't work right, you'll get too much and you'll sink into a recession."

The economic managers are working with thin margins in their attempt to halt the boom without precipitating a slump. They predict that business activity will climb at a 5 per cent clip during the months ahead but the trouble is that higher prices will account for most of the apparent rise.

Real production will go up 1 per cent or less. It would take very little to change that tiny 1 per cent gain into an actual decline. A small dip in consumer buying could spell the difference. So could a skid in homebuilding, or in business purchases of new equipment, or in spending for inventories.

While the administration and the Federal Reserve are desperately anxious to get control of the inflation spiral, they neither wanted nor expected that their stabilization measures would bring the economy to the brink of a recession by fall.

Something went wrong and it was the always unpredictable American consumer who tripped up the experts.

He took off on a buying spree last winter. They thought he would spend heavily through the spring and into the summer. But the consumer fooled the forecasters by increasing his savings instead.

The sudden consumer switch wiped out a $3 billion cushion that the experts had expected the country to have during the summer months.

The disappearance of the $3 billion cushion spells the difference between a gradual, orderly business slowdown and the worrisome approach to a near-recession that now is taking place.

Employment will quickly feel the impact. The number of jobs will fail to show an anticipated rise. Unemployment will increase by more than a normal seasonal amount.

Incomes will grow less sharply than they have in recent months. Profits will be squeezed. Sales and production will soften.

When the economic planners look ahead, their gravest fear is that the weaknesses will start to feed on themselves in classic, recession fashion. A fresh cut in consumer buying, for example, could trigger business decisions to reduce production and could swiftly obliterate the thin margin that, by fall, may be all that will stand between the U.S. and a full-scale slump.

The experts are not predicting that there will be a slump. They say the odds are at least 50–50 that we will slide by, but they believe it should be plainy understood that we will come perilously close to a downturn and that no one can give hard and fast assurances that the worst will not happen.

PUBLIC SERVICE AWARD TO ROBERT HOLIBAUGH, OF LRS, INC., TERRE HAUTE, IND.

Mr. MYERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MYERS. Mr. Speaker, the Post Office Department is of great interest to every American. Its operations affect each of us personally.

The genuine concern of all Americans for the Post Office and those who render us this invaluable postal service is reflected in the splendid cooperation given by the great majority of our citizens in making the ZIP code work, following the suggestions and advice to mail early, address correctly, wrap securely, and do the many other things to move the mail more efficiently and speedily.

Without a doubt, one of the biggest forward steps in our national life has been the adoption of the ZIP code so enthusiastically by all mail users. Large mailers have distinguished themselves for the high good spirit with which they have gone along with this plan, at considerable cost to themselves, in many cases such costs running into the millions of dollars. I refer to the big mailers among our business firms, to the magazines, to the third-class mailers, and others.

An outstanding achievement in this area by an Indiana firm has been brought to my attention. I would like to share it with my colleagues and with others who may find in it a program for their own adoption.

I refer to LRS, Inc., of Terre Haute, Ind., which has been singled out by the U.S. Post Office Department for a public service award for its efforts in improving postal service. The award was presented to Robert L. Holibaugh, executive vice president of LRS, Inc., the first individual in the Nation to receive such recognition for contributions to the ZIP code program.

The following clippings describe the work of Mr. Holibaugh and LRS, Inc., and I place them in the RECORD at this point:

[From Terre Haute (Ind.) Tribune, June 12, 1968]

R. L. HOLIBAUGH GETS POSTAL ZIP CODE AWARD

A Terre Haute business executive has been credited with adding "zip to the Zip Code Program by the U.S. Postal Department.

Robert L. Holibaugh, executive vice president of LRS, Inc., (Local Readers Service, Leisure Readers Service and Literary Readers Service) received a public service award for his interest in improving postal service. He is

the first individual in the United States to receive such an award for contributions to the Zip Code Program. Only eight Hoosier businesses have received the recognition.

After receiving notification from publishers in 1966 that zip codes would be required on all magazine subscriptions, Holibaugh and the LRS art department went to work to inform the company's managers and salesmen throughout the nation of their duties. Each week a two-color zip code page is included in the company bulletin. Catchy slogans and clever drawings are used to remind managers and salesmen to get zip codes with each subscription.

Albert A. Steinwedel, deputy regional director of the Cincinnati region of the US Postal Department, came to Terre Haute Wednesday to make the presentation. He said, "No other mailer has put as much zip into the Zip Code Program as Holibaugh."

Holibaugh gave much credit to Mrs. Hazel Hamilton, LRS art director, and Miss Vivian Canatsey, senior bulletin editor, for their dedication to the program. Look Magazine has honored them for their efforts, he said.

He said that since the promotion began, LRS has been able to get zip codes on 97% of its subscriptions.

Present when Holibaugh received the postal award were: Frank L. Miklozek, postmaster, and Russell E. Shaffer, assistant postmaster.

[From Terre Haute (Ind.) Star, June 13, 1968]

LOCAL FIRMS GETS RECOGNITION FOR SPEEDING MAIL

Robert L. Holibaugh, Terre Haute, executive vice president of LRS, Inc., is the first individual in the U.S. to receive a public service award for his interest in improving postal service.

Albert A. Steinwedel, deputy regional director of the Cincinnati region of the U.S. Postal Department, presented the award to the local business executive Wednesday and said, "No other mailer has put as much zip into the Zip Code Program as Holibaugh."

Beginning in 1966 each week a two-color zip code page is included in the company bulletin. Slogans and drawings are used to remind managers and salesmen to get zip codes with each subscription.

Since the promotion began, LRS has been able to get zip codes on 97 per cent of its subscriptions.

DICKEY-LINCOLN PROJECT

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the repeated rejection of the Dickey-Lincoln project by this body has proven to be a great loss not only to the State of Rhode Island but to the entire New England region. I consider it to be a tragedy for the need and proven feasibility of this project have been so well manifested yet so resoundingly rejected by this body.

In the words of the distinguished chairman of the Public Works Appropriation Subcommittee studying public power for New England:

New England has the most expensive lighting system in the United States and probably in the world.

Yet, a well substantiated proposal to overcome this, in the form of the Dickey-Lincoln project, has been brushed aside time and time again by this body.

Why should New England be the only region in these United States without a Federal hydroelectric plant? Why should New England be deprived of an effectual yardstick to lower the Nation's highest electric rates? These are some of the questions that still ring in my ears while repeated efforts to provide a Federal hydroelectric plant in New England have met only with failure.

Let me acquaint some of my colleagues with what Rhode Island industry has to say about this matter of the high cost of electricity in Rhode Island.

The Rhode Island Textile Association, representing 400 textile firms, stated in a letter to the Rhode Island General Assembly that the Rhode Island textile industry "is being forced to pay an 'exorbitant rate' by the power utilities." The association claimed that Rhode Island power rates are 30 percent higher than the national average and went on to say that consumers pay 150 percent more for power when comparing the rate of privately owned utilities with public power rates such as those realized through the Tennessee Valley Authority.

As an eloquent example of industry's dim view of Rhode Island power rates and reliability, I offer to this body a news article which appeared in the July 21 edition of the Providence Journal noting the location of a textile plant in another State because of this matter.

What a sad note it is. A very successful Rhode Island textile firm will now build a $2 million plant in another State because of the "unreliability and high cost" of electric power in Rhode Island. Because of the "disruptive power situation" and high rates in Rhode Island, the company will build its additional plant in Tennessee where it can gain the low rate but highly reliable electric power made possible through the unquestionably successful TVA.

The firm, as noted in the news article, was the victim of not less than 34 power failures which cost them close to $100,000 in spoilage and production time according to the firm's chief executive.

Well, Mr. Speaker, I, too, greatly regret the loss of a fast-growing firm to another State because of high cost and unreliable power. But, most of all, I regret that those of us in the Congress who are truly aware of the problem have been unable to convince our colleagues of the need and significance of the Dickey-Lincoln project.

Arguments have been voiced in favor of atomic power in which hydroelectric power plants have been ruled "obsolete." The fact of the matter is that hydroelectric power plants have proven to be the best, most efficient, economical means of furnishing peaking power to meet system demands during peak load periods and are an important part of a balanced power system.

The fact of the matter is that hydroelectric power makes a very substantial contribution toward the reliability of an electric system—which we do not have in Rhode Island and New England, as has been eloquently pointed out in the Providence Journal news article which I shall place in the RECORD at the conclusion of my remarks.

The fact of the matter is that a ready market exists for the power generated by the Dickey-Lincoln project.

The fact of the matter is that a study of this project clearly indicated a favorable benefit-to-cost ratio of 1.9 to 1.

The fact of the matter is that the region which most needs such a Federal hydroelectric powerplant has been denied its benefits by a Congress mesmerized by the arguments set forth by proponents of atomic power and the private power companies.

Mr. Speaker, I think it is time that this body push aside special interests and face the realities of New England electric power needs. It is time that we endorse the funds approved in the other body.

The Senate has restored the budget request for planning funds for Dickey-Lincoln in the amount of $1,276,000 and I urge that the House conferees appointed to consider the public works appropriation bill accept the Senate's proposal and that this body will finally give its imprimatur to a greatly needed and well substantiated project.

The articles mentioned above follows:

COVENTRY FIRM CITES POWER DISRUPTIONS—RHODE ISLAND LOSES $2 MILLION TEXTILE PLANT TO TENNESSEE

(By Joseph L. Goodrich)

Concordia Manufacturing Co., a fast-growing Coventry textile firm, announced yesterday that it is building a two-million-dollar plant in Tennessee instead of Rhode Island because of the "unreliability and high cost" of electric power in this state.

Paul O. Boghossian Jr., Concordia president, said the decision to bypass this state in favor of Tennessee was made reluctantly after the company had experienced a series of disruptive and costly failures in the power service to its Coventry plant.

He disclosed in a letter mailed to the company's 130 employes that construction of the new 100,000-square-foot plant on a 130-acre tract in Sevierville, Tenn., already is under way, but he stressed that the new plant represents an expansion and that Concordia will continue to operate and expand its Coventry plant.

A spokesman for the Narragansett Electric Co. said Mr. Boghossian's statements are "completely without foundations."

Mr. Boghossian said plans are to concentrate its sophisticated continuous process yarn machinery in the East Tennessee plant. This machinery is highly sensitive to power failure. Machinery less sensitive to what he termed "this disruptive power situation in Rhode Island" will be located in Coventry.

The Sevierville plant is the first phase of a long-range program which calls for eventual expansion there to 500,000 square feet of plant space and an overall investment by Concordia of 15 to 20 million dollars, Mr. Boghossian said. The plant will employ from 75 to 100 persons initially.

"We feel bad because we cannot accomplish this in our own state," declared the Concordia chief executive. "It would be a source of pride for us to put a half million square feet of plant in the Rhode Island economy, but we just can't live with this kind of power service."

Concordia operates a three shift, seven-day week, continuous processing operation at its Coventry plant in the production of textured or stretch yarn and in yarn throwing, that is, twisting and plying filament yarn.

In 1964 the company moved from its former 55,000-square-foot plant in Central Falls into a 100,000-square-foot building in the former Anthony Mill complex of Berkshire Hathway Inc. Concordia is reported to have spent in excess of one million dollars in modernizing and adapting the plant property

to its needs and in upgrading its manufacturing operations.

During the four years since, Mr. Boghossian said, Concordia has been the victim of 34 power failures which in aggregate have cost the company close to $100,000 in lost production time, spoiled lots of yarn and machinery restarting costs.

The latest of these power outages occurred last Monday when the plant was subjected to a 42-minute blackout.

Harry C. Minasian, Concordia vice president in charge of manufacturing, said that that power service failure would cost the company at least $7,000.

Several months ago, Concordia filed a $75,000 damage suit in Superior Court against the Narragansett Electric Co., the utility company which supplies power to the plant. The suit alleges breach of contract among other allegations.

* * * * *

POWER CUTS CAUSE COSTLY SNARLS

When power service fails at Concordia Manufacturing Co. a form of chaos is the result.

That is what happened last Monday when the company suffered its 16th total disruption of power service in four years.

The disruption occurred while a Journal-Bulletin reporter was visiting the plant. Here is what happened.

All 12 of the company's continuous-process stretch-yarn machine began smoking as synthetic yarn melted and sizzled on the machines' high temperature heating plates.

Yarn in process on the machines was ruined as a quality product. It had to be removed and reprocessed and sold as secondary yarn.

Some 25 women workers were idled, but were kept on standby by the company until power was restored.

The company's 29 yarn throwing or twisting machines were stopped and the sudden interruption of processing had caused yarn to become entangled along the yarn paths of 4,756 spindles.

The power went out at 12:55 p.m. and was restored 42 minutes later, but the damage had been done. Hours of production were lost on expensive machines.

Out-of-pocket loss because of the power failure would be about $7,000, said Harry C. Minasian, vice president in charge of manufacturing.

Peter L. Neilsen, assistant plant manager and plant engineer, sought to explain why the failure in power service is so costly to Concordia.

The company recently invested $250,000 in four Leesona 555 third-generation high-speed stretch-yarn machines. There is nothing more modern or more sophisticated in the stretch-yarn business.

Before these machines could be restarted, all of the partially filled yarn packages had to be removed from the machines, each spindle had to be rethreaded and new packages started. Mr. Neilsen said it takes four people two hours to accomplish this on one machine.

The same must be done for the eight other stretch yarn machines. Each of these has 156 yarn paths which must be rethreaded.

Partial packages of yarn taken from the machines must be stripped of damaged yarn, and the remaining yarn is then wound into smaller packages and sold as seconds. New lots of yarn are started to replace these spoiled lots.

These stretch-yarn or yarn-texturing machines are the most sensitive to total power failures because the stretch-yarn is made in a process involving the use of high heat.

Thermoplastic yarn is passed at high speed over a heating plate generating 450 degrees and at the same time is twisted so that the heat can set the twist. If the machine stops, the heat softens and melts the yarn.

There are other problems of starting up. Heating plates on the machines must be brought up to the required temperature, and proper room temperature and humidity levels must be restored before operations can start.

Meanwhile, there was the problem of restarting the 29 throwing or twisting machines. Mr. Nielsen said it takes two operators half an hour to prepare one of these machines for restarting after a power outage. The yarn tangles in the yarn paths even if the machine is interrupted by a power lapse of a few seconds.

Operators must pull the tangled yarn out of each of the 164 yarn paths on each machine, then back the good yarn onto the supply spool at each of the 164 spindles.

At present, Concordia is being served by one power circuit, but Narragansett Electric Co. is in the process of installing an automatic circuit breaker designed to switch the plant to a second circuit if service fails on the first.

Concordia is paying the $16,000 cost of the new circuit breaker. What it will do is tie the plant to two power feeder systems instead of the present one.

Paul O. Boghossian Jr., Concordia president, said the company has investigated the possibility of installing its own generating plant to assure continuity of power, but it decided the $500,000 cost would be prohibitive.

Concordia has kept a chronological record of the 34 power disruptions since June 1964, along with descriptions of the causes.

It shows that 12 disruptions were caused by lightning, six by faults in the distribution system, five by wind and ice storms, three by falling trees or branches, three resulting when vandals damaged insulators with gunfire, one when a truck hit a utility pole and several others from unknown or unlisted causes.

BIRTHDAY OF EMPEROR HAILE SELASSIE I

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is my privilege and pleasure to extend in my own name and in the name of the Subcommittee on Africa of the Committee on Foreign Affairs and on behalf of the entire House of Representatives of the Congress of the United States congratulations and best wishes to His Imperial Majesty Haile Selassie I and the Ethiopian people on the Emperor's 76th birthday.

It is fitting to speak of our admiration for his many accomplishments and contributions to his own country and to the world and to express our deep hopes that in the future he will continue to be blessed with wisdom, happiness, and well-being.

Through the years we have looked sympathetically and with encouragement upon the untiring efforts of the Emperor to improve and enrich the lives of the people in his country. We have also witnessed with admiration his willingness to respond positively to pleas for assistance and counsel from the United Nations and the Organzation of African Unity when peace has been threatened.

We have enthusiastically welcomed His Majesty a number of times to the United States and have seen the friendship between the two nations flourish and prosper. We are now watching with hope and optimism the efforts of His Majesty to work together with his neighbors to bring about greater and lasting harmony and cooperation in the Horn of Africa.

On this joyful occasion, then, we congratulate His Majesty and wish him the full enjoyment of many more years of health and happiness.

Also to the conscientious and able Chargé d'Affaires of Ethiopia, Dr. Getachew Abdi, go the expressions of our esteem on this festive day.

AMENDING THE ACT OF APRIL 12, 1926, PROTECTING THE SUPPLY OF TIMBER FROM NATIONAL FORESTS FOR LOCAL USE

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, today I am introducing a bill amending the act of April 12, 1926, which protects the supply of timber from national forests for local use.

For some time now, a number of Senators and Congressmen representing the Western States have been attempting to gain administrative relief from the problem of runaway export of Federal timber. Failing that, this bill would provide a legislative remedy to the problem, and contains identical language to that adopted by the Senate Foreign Relations Committee as an amendment to the House-passed foreign aid bill.

To give you a little background on the problem, foreign purchasers of federally owned unprocessed timber have, in recent years, bid up prices and forced the closure of many mills in the Northwestern United States which could not obtain enough timber to remain in business.

Creation of the national forests had the objectives of protecting the Nation's timber supply and watershed. It was specified that the needs of local economies dependent on the Federal forests be considered before timber could be exported. Despite this clear requirement, established by statute in 1897, and reinforced in 1926, there is no record of any finding of surplus having been made in the last 20 years. This bill is designed to further reinforce these statutes.

The bill permits an exclusion of up to 350 million board feet per year from the 1926 act for each of 5 years, beginning in 1968, or approximately the current level of U.S.-owned timber export. It further permits additional round logs to be sold abroad if a public hearing establishes that a specific quantity or specie is surplus to the needs of domestic users or processors.

Since the bill does not cut back current levels of log export from public lands, no balance-of-payments problem

is anticipated. Rather, the future sale of finished lumber products should enhance our balance-of-payments position, and at the same time retain for Federal-timber dependent communities, the benefit of value added through processing raw logs.

Under provisions of this bill, respective departments are authorized to issue regulations to carry out the purpose of the legislation, including the prevention of the purchases of Federal timber by processors who have sold their own logs abroad.

In the interest of uniform management, the language of the bill applies to all federally owned timber west of the 100th meridian, where most of the Federal timber is located.

Mr. Speaker, I have been joined by several of my colleagues in coauthoring this legislation, and I urge that it be given the consideration of the Congress. I want to make my position very clear. We are not attempting to restrict commerce and trade of forestry resources, that are surplus, with our Japanese friends. However, everyone must realize and understand the plight of our domestic processors, workers, and communities that are strongly dependent upon Forest Service and public domain timberlands for their resources. I am personally of the opinion that mutually satisfactory trade agreements can evolve between the United States and Japan that gives recognition and acceptance of our suggested primary processing provisions prior to shipment. Everyone stands to gain by accepting this approach.

In representing a coastal district with shipping and harbor facilities, I want to also recognize the desire of the shippers and longshoremen that benefit from the handling of products and tonnage through the port facilities.

If we properly consider this matter as I've consistently suggested, we can expand our forest products trade with Japan. We can increase jobs and protect our domestic lumber industry by asking for primary processing. We can sustain and/or increase our shipping tonnage, and most important of all we can provide assistance to our balance-of-payments problem and enhance the economic bond between Japanese and U.S. consumers and entrepreneurs.

TRIBUTE TO THE HONORABLE HORACE R. KORNEGAY

The SPEAKER pro tempore (Mr. PEPPER). Under a previous order of the House, the gentleman from North Carolina [Mr. FOUNTAIN] is recognized for 1 hour.

Mr. FOUNTAIN. Mr. Speaker, it is with a heart full of sorrow that I rise at this appointed time, because my purpose in doing so is to pay tribute to a true friend and colleague—HORACE KORNEGAY—who has chosen to retire from the House at the end of his present term.

HORACE KORNEGAY, Representative of the Sixth Congressional District of North Carolina, has been a Member of this body for almost 8 years. Many of us have been here longer but none has served with greater devotion or a deeper sense of service to his constituents and to his Nation.

As a member of the Committee on Interstate and Foreign Commerce and the Committee on Veterans' Affairs, he has had a major role in the shaping and passage of legislation affecting all Americans in the field of health, transportation, communications, power, education, to name only a few. He has exemplified the kind of unselfish and competent public service which this country will always need if it is to survive and prosper as a free and growing Nation.

HORACE KORNEGAY is known to us—his colleagues—as he is known to his constituents, as a man of integrity, responsibility, and energy. I know him further as a friend, counselor and inspiration. In fact, I am happy to claim kinship with him, by marriage, through my wife. He still has a wonderful father whose roots are deep in eastern North Carolina, especially at a little place called Kornegay Cross Roads, from which he departed many years ago before he settled in Greensboro. I will always remember with deep appreciation an occasion when his father traveled behind me from one community to another in my own congressional district trying to catch me—just to shake my hand and wish me well. That sounds like HORACE. Does it not?

HORACE'S constituents know him as one who has always looked upon their problems and interests as his own problems and interests. They know that he is never satisfied until every possible effort is made to solve those problems and to honorably look out for those interests.

They also know him to be a man of strong and sincere religious convictions, and devoted to his family, especially his loving wife and children. His constituents have exhibited their confidence in him by sending him to Congress four times. They have weighed him on the scales of honest, conscientious and dedicated public service and never found him wanting.

I am confident that they would continue to send him back here if he chose to seek reelection. But they can also understand, as we can, his reasons for deciding not to seek office in the Congres again, but to return to his home at Greensboro, N.C., where he can be a full time husband and father, and engage in the practice of his first chosen profession—law.

The separation from one's family and friends, the increasingly long sessions of Congress, as this one now promises to be, the day and night hours necessary to enable one to do an adequate job for his people, and the increasing costs of remaining in public service have, I feel certain, given each of us cause to do some reflecting at one time or another.

Of course each Member of this great body has his own peculiar problems arising out of his own particular set of circumstances. Each must, therefore, make his own decision on what he must do. And such decisions are never easy to make.

But HORACE KORNEGAY has made his and I know it came hard, because he not only loves this institution, but more than that he loves, and I am sure will always cherish and hold near and dear to his heart the many, many friends he has made, both in and out of this body, through his service here. I am sure each of us can say the same about him. We who know him will always cherish his friendship.

And so, as a friend and a member of the North Carolina delegation here in the House, I will miss him—especially his fellowship, his guidance and his unshakeable belief in what he considers to be right. His constituents will too. And every Member of this body who knows HORACE KORNEGAY will share this same experience.

I am certain all of us, however, hope that he will find upon his return to Greensboro, N.C., and that fine Piedmont area in which Greensboro is located, the good life to which he and his wonderful family are entitled. And, even though he has decided not to remain in the Congress, if I know HORACE KORNEGAY, he will always be ready and willing to respond to any appropriate and sincere request for his time and talents on behalf of the people of North Carolina.

His energy, his interests and long years of giving of himself to others and their causes, in my opinion, will not permit him the luxury to withdraw summarily and completely to private life. In other capacities, and other ways, at the proper times HORACE KORNEGAY will continue to help and to serve. In fact, it is my hope that after he has enjoyed a few years more of private life and the practice of law, he will be available for further public service to the people of North Carolina and our Nation.

A friend of his in an editorial in the Burlington (N.C.) Times-News (which I am inserting at the close of my remarks) once described HORACE KORNEGAY as a "Mast Tree" Congressman. When you think of it, it is an exceedingly apt description.

A tree selected to become the mast of a ship must have the strength to withstand the pressures of storm and strain. And yet it must be resilient enough to spring back after suffering hard blows. It must have a heart that cannot be masked by a shell of fine appearance.

To me, HORACE KORNEGAY has all those qualities and more. If ever I knew a "Mast Tree" Congressman, HORACE KORNEGAY surely is that man, for in this House of trust and responsibility, and in the forest of humanity, he has been "strong and straight enough, fine enough and true enough to always be a "Mast."

Many of us will personally miss him dearly but I know his family, his community, and his church await his return.

And so on behalf of my wife, Christine, and our little daughter, Nancy Dail—about the age of his daughter, Martha—I want to express the hope that our Father in Heaven will bestow upon our distinguished, able and beloved friend and colleague, HORACE KORNEGAY, and upon his wonderful, loving, and beautiful wife, Annie Ben, and their fine children, Robie, Kathy, and Martha, all of the blessing of life, including especially continued good health and more and more enduring friendships wherever they may go and in whatever they may undertake together.

The article follows:

A "MAST TREE" CONGRESSMAN

A friend of Rep. Horace R. Kornegay's was moved to give an expression when he learned that the congressman would not be a candi-

date to succeed himself in next year's elections.

"It reminded me of an editorial I had saved through the years," he said . . . "This morning I wrote Horace a short note in which I told him that I had always considered him to be a 'mast Tree' congressman."

This editorial, "The Mast Tree," appearing in "Trained Men in March of 1948," was sent to the congressman:

Back in the days when clipper ships were a-building and a-sailing all the seas, timber cruisers tramped the forests to select the tallest, straightest, finest trees that grew for masts and spars.

Away off yonder is a tree that appears perfect for the purpose. But, no it won't do! There's a twist in it—a flaw that only an experienced woodsman could detect. He knows that, come a storm, it would snap and splinter under stress and strain, and the ship into which it was fitted might be lost. Here's another—but it lacks the "spring", the resiliency to take hard blows and then spring back. Another—surely this is the perfect tree to become the mainmast of a fine ship. It nearly has the expert timberman fooled. But its heart is half rotten at the core—just a shell of fine appearance.

This is a year in which men the world over are searching the forests of humanity for men strong enough and straight enough; fine enough and true enough to be "masts" in places of trust and responsibilities. They are needed—these "Mast Men"—in the Ship of State. Oh, how they are needed there! They are needed at the head of industries and businesses. Good, strong, fine men are needed at the head of labor organizations. They are needed on the town council, on the board of the church, the Chamber of Commerce—in every neighborhood. They are needed in these places just as much as they are in the councils of the United Nations.

All over the world men are hunting for "Mast Trees" among their fellowmen. They seek also strong timber material. They are not looking for the spectacular, rather the courageous—men who put the common good above all else, who put high ideals of service above the lust of office. They seek men who do not shirk the hard tasks, who have the backbone to say "No"; men who have ideas as well as ideals—and the will and drive to stick to their purpose until ideals become realities. Above all, the world today needs men with courage of their own convictions, men who will not sink to flattery and who scorn the flatterer. We want men who live as they think—who think as they live—and to whom truth means more than life itself.

All unaware that it is happening, both you in your place in life, and I in mine, may be the object of the "Timber Cruiser's" scrutiny. Measuring up, we can rest assured that our good qualities, our abilities, our willingness, and fitness for service to our fellow man, will not be discounted or overlooked. The need for character, integrity, truth, and willingness to do something is always present right where you work, on your street, in your lodge and church, county, state and nation—and in mine. Neither of us may be material for the councils of the United Nations, but we must be material for the councils of our own families, our places of employment, our neighborhoods if there is to be advancement in the world—and prosperity and peace.

Josiah Gilbert Holland's poem never will be trite. It is too real for that:

"God give us men. The time demands
Strong minds, great hearts, true faith, and willing hands;
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who possess opinions and a will
Men who have honor, men who will not lie;
Men who can stand before a demogogue
And dam his treacherous flatteries without winking,
Tall men, sun-crowned, who live above the fog
In public duty and in private thinking."

Mr. CARTER. Mr. Speaker, will the distinguished gentleman yield?

Mr. FOUNTAIN. I am glad to yield to the gentleman from Kentucky.

Mr. CARTER. I thank the gentleman for yielding.

Mr. Speaker, it has been my pleasure to serve with the gentleman from North Carolina [Mr. KORNEGAY] for more than 3½ years on the Committee on Interstate and Foreign Commerce. Never have I known a more congenial, capable, and honorable southern gentleman than my distinguished friend.

I trust that his remembrances of his term in the House of Representatives will be filled with the knowledge of the worthiness with which he has served his constituency and the honor which he has bestowed upon it.

I fervently hope that his future will be filled with even more able accomplishments, and amid the happy surroundings of his family, which he loves so dearly.

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. LENNON] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. LENNON. Mr. Speaker, the decision of HORACE KORNEGAY last year not to seek reelection to the Congress was a difficult one for him. Though I understand and appreciate his personal reasons for doing so, I deeply regret the loss that his decision has incurred for his colleagues, his district, State, and Nation.

I have known HORACE as a close and intimate friend for many years. His personal warmth, sincerity, and integrity have endeared him to many friends.

In his capacity as a member of the Committee on Veterans' Affairs and the Committee on Interstate and Foreign Commerce, HORACE KORNEGAY has worked diligently for the principles in which he believes and in the best interest of his constituency and fellow citizens. He has been active in the passage of many measures to improve the health and welfare of all Americans. His ability is evidenced in an outstanding record of service.

We are indebted to HORACE KORNEGAY for an association that has inspired our confidence; for service that has reflected devotion, concern, and conviction; and for attributes that have deepened our vision and esteem.

My warmest wishes for a future of happiness and joy in closer relationship with his family go with a beloved colleague as he leaves Capitol Hill. I am confident he will continue to serve his fellow men in every capacity possible.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I am delighted to yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, I rise to join my good friends from North Carolina and our colleagues from other States in paying tribute to our able colleague, the Honorable HORACE ROBINSON KORNEGAY, who has decided to retire from the House of Representatives and return to private life in his native State. He has served Greensboro and all of North Carolina's Sixth District well. I am confident that had he chosen to seek reelection he would have been returned by a sizable majority.

HORACE KORNEGAY has been an able and effective legislator. His presence here will be missed not only by North Carolinians, but by all the veterans of the United States. It has been my privilege to work with him on the House Veterans' Affairs Committee for 8 years and I know how well he has served veterans. A distinguished and disabled veteran of World War II, his understanding of the problems confronting veterans and their dependents has enabled him to make valuable contributions in the work of our committee. I have the deepest respect for his ability and I highly value his judgment.

I wish him every success in his future endeavors.

HORACE, I wish you well. I hope that your retirement from the House of Representatives does not terminate your public service because our Nation needs men of your caliber.

Mr. FOUNTAIN. I thank the distinguished gentleman from Florida.

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I yield to the gentleman from Massachusetts.

Mr. KEITH. Mr. Speaker, it gives me great pleasure to join in today's tribute to our distinguished colleague from North Carolina.

Whatever satisfaction I derive from adding my voice to the chorus expressing our esteem of HORACE KORNEGAY will be tempered by the knowledge that his wisdom and guidance will be sorely missed both on the floor of this House and in the Committee on Interstate and Foreign Commerce. It has been my privilege over the past 8 years to serve on this committee with HORACE. Despite our occasional differences of opinion on some subjects, I have come to rely heavily on his judgment and impartiality in respect to the great issues facing our committee and, indeed, the entire Congress.

His selfless dedication to the welfare of the American people and his many years of service to the citizens of North Carolina are, I am sure, recognized by all of us in the Congress. We can all sympathize greatly with his desire to devote more time to his family after 8 years of hard work in the House of Representatives.

It is with a great deal of sadness, then, and with many good wishes for the future, that we salute HORACE KORNEGAY upon the termination of his distinguished career in the Congress.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I am delighted to yield to my distinguished colleague, the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Speaker, I join with the dean of our delegation, the gentleman from North Carolina [Mr. FOUNTAIN], in paying tribute to the gentleman from North Carolina [Mr. KOR-

NEGAY] whom we honor on this occasion. All of us in the North Carolina delegation were saddened when HORACE announced that he would not seek reelection. We were saddened not only because of our selfish desire to keep him in Washington as one of the Representatives of the people in North Carolina, but even more so of our feeling that the Nation can ill afford to lose the services of one who is so dedicated to the public good as is HORACE KORNEGAY.

Mr. Speaker, it has been my privilege to know HORACE KORNEGAY for a great many years, more years than either he or I have served here in the Congress of the United States. As a prosecuting attorney in his judicial district, he served with great distinction during the period when I was privileged to serve in a similar capacity in my own judicial district. At that time he had one of the most important positions that could come to any citizen. I know that all of us who are familiar with his record while serving in the courts can say that if today there were more men in public positions dedicated to law and order as he was, many of the problems which we face would not be with us.

Mr. Speaker, in civic and cultural activities he has always been an active participant.

As a member of the Democratic Party he has served at all levels of that party's operations in important positions including the presidency of the Young Democratic Clubs of our State. However, as a Member of Congress HORACE KORNEGAY has not been bound to our political party. He has always taken the broad view as to what he believed to be the proper action to promote the welfare of the people of the Nation, rather than the narrow view of promoting the welfare of his own party.

Mr. Speaker, as one who has known him in the House of Representatives, as he leaves I can only express an abiding hope that whatever his role may be in the future or whatever my role may be in the future that among the most cherished things that will happen to me will be the privilege of being associated with him as the years go by.

I salute him for his wonderful service here. I wish for him and his very wonderful family all of the best in the future that we would have for ourselves. I know that whatever the future may hold for HORACE that we will always find him standing up for those things which are best for his community, his State, and his Nation.

So, Mr. Speaker, I join with the gentleman and our colleagues in saying that our Nation will miss him, our country will be ill served by his retirement, but we all know and understand that these decisions must be made, and we know that HORACE has made the one which to him is satisfactory and which he believes to be in the best interests of those whom he loves most.

Mr. FOUNTAIN. I thank my distinguished colleague.

I now yield to the gentleman from Tennessee [Mr. EVERETT].

Mr. EVERETT. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I wish to express my appreciation to our colleague, the gentleman from North Carolina [Mr. FOUNTAIN], for obtaining this special order in order that we might pay tribute to HORACE KORNEGAY.

In the 8 years that I have served with HORACE KORNEGAY on the Committee on Veterans' Affairs, I do not believe that I have seen an individual who has been able to grasp the situation quicker and has been a more effective Member of this Congress than HORACE KORNEGAY. At all times he has been kind and fair in presenting his viewpoint, and in helping the veterans of this great Nation of ours.

I have also seen HORACE KORNEGAY in action in other committees and in other activities.

Mr. Speaker, I wish for HORACE KORNEGAY and his family the finest and the best of everything in the many years to come.

Again I thank the gentleman for yielding.

Mr. FOUNTAIN. I thank the distinguished gentleman from Tennessee.

I now yield to the gentleman from Alabama [Mr. EDWARDS].

Mr. EDWARDS of Alabama. Mr. Speaker, I want to commend the gentleman from North Carolina for taking this special order today so that we could all express our feelings about our friend, HORACE KORNEGAY from North Carolina.

Mr. Speaker, it has never been my good fortune to serve on a committee with HORACE, but when I came to the Congress HORACE was president of the House prayer breakfast group, and I believe that first year that I was here in Washington, in watching HORACE week in and week out and being with him in that group had a profound influence on my first few years here in Congress, and they are years that I shall never forget.

We in the House of Representatives know HORACE KORNEGAY as a man of honor, courage, and conviction. If he were not such a person, why, he would not be going home, I am sure, with quite the conviction that he is that this is the right thing to do. We shall miss him.

I know that he has left an imprint here in the House of Representatives, and whatever he does in North Carolina I want to wish him the greatest success and to extend my best wishes to his family as he leaves us. I hope that we will see him on many occasions in the future.

Mr. FOUNTAIN. I thank the distinguished gentleman from Alabama.

I now yield to the distinguished gentleman from North Carolina [Mr. JONES].

Mr. JONES of North Carolina. Mr. Speaker, it is with mixed emotions that I rise to pay tribute to the Honorable HORACE KORNEGAY, my friend and colleague from the great State of North Carolina. I have an emotion of sadness in the realization that he will by choice not be a Member of the 91st Congress.

His dedicated service to those he represents will be missed. Equally, his integrity as a legislator, and his warm personality as a man will be missed.

The other emotion that possesses me is one of admiration for his courage in making a decision to return to his lovely family to provide for richer love and guidance during the adolescent years of his children.

His 8 years in the Congress represents nothing but credit to the Sixth District of North Carolina, which he has so ably represented. No Member of Congress is held in higher esteem by his fellow Members.

I have been the recipient of his personal favors which transcend the normal course of a congressional relationship.

Mr. Speaker, it has been a special personal privilege to serve with Congressman HORACE KORNEGAY. Along with the entire House membership, I wish him the greatest success in his return to the practice of law, and many, many years of health and happiness to him and his family.

Mr. FOUNTAIN. Mr. Speaker, I now yield to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. I thank my colleague for yielding.

Mr. Speaker, it is with a great deal of pleasure, mixed of course with a feeling of sadness, that I join our colleagues here this evening in paying our tributes of respect to my friend and colleague, HORACE KORNEGAY, who is voluntarily retiring from this body.

I did not know HORACE well before he came to the Congress. Of course I knew of him and of his distinguished record at the bar, but we were not close friends because our paths did not cross frequently. But I came to know him very well soon after he came to this body 8 years ago, and during these 8 years I have come to admire and respect him for his sterling qualities of character, integrity, judgment, courage and ability.

At the end of this period of his service, as he goes back home to begin again the practice of law and to have the opportunity of spending some time with his family, I regard him as one of my closest and warmest personal friends.

He will take with him the knowledge, I assure him, that he has gained the respect and admiration of all his colleagues here in the Congress on both sides of the aisle.

I have followed his record here in the House with pride. I have never known him to do a small or a mean thing. I particularly wish to associate myself with the comments of my colleague from North Carolina, Hon. BASIL WHITENER, who said it so eloquently when he stated that HORACE has always looked at the broad view rather than a narrow, partisan view in all of his actions here in the House.

It seems to me, as I have watched him, that he always put the interest of his country first, and I have never known him to do or say anything that smacked of extreme partisanship—or even any kind of partisanship—in the decisions that he has made.

It is because of this broad view that he has taken with respect to the problems that we face that has endeared him to the Members of this body.

The fact that at an early age—and HORACE is in comparison with many of us here, a very young man—he should elect

voluntarily to discontinue his service in this important body and return home, is a commentary on the problems that we face.

I have not discussed this in detail with him, but I am satisfied that the compelling reason which has caused him to make this decision is the desire to spend more time with his family. I had the decision to make 16 years ago when first elected to this body on whether to leave my family at home, or to bring my wife and children with me to Washington. We decided that we would stay together. I felt that my boys needed their father and frankly I felt that I needed them with me. So Mrs. Jonas and I decided that we would all come to Washington together and we have never regretted that decision.

My family came with me to Washington at considerable sacrifice and inconvenience. Those who have not experienced it will not understand all the inconveniences that are involved in transporting young children back and forth from home to Washington. But we made that decision because it gave our family an opportunity to be together more than would have been possible had the family remained at home. But HORACE was not able to do that, and the separation from his family, I know, has weighed heavily on his mind. At a time when his children are at the age when they need their father most, he has had to spend much of his time away from them here in the discharge of his duties.

I respect HORACE for his decision to return home while there remain many years of happiness to look forward to, so that he can enjoy his family and direct the footsteps and the thoughts of those fine children. I know they and their mother have missed father and husband and will be happy to have the family reunited again.

We will all miss HORACE here, but I join those who have so eloquently said on this occasion that we look forward to the future for him in the hope that it will bring a full measure of joy and happiness in his private life, in the practice of his profession, and in the opportunity to spend more time with his friends and his family.

I join all of those who today are wishing for him every happiness in the future. I hope that our paths may continue to cross, because it has been a real pleasure and a privilege for me to have been associated with him so closely during these last 8 years. My best wishes are extended to him and his family always.

Mr. FOUNTAIN. I thank my distinguished colleague from North Carolina.

Mr. ROBERTS. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I am happy to yield to the distinguished gentleman from Texas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, I thank the gentleman for yielding. It has been my pleasure to serve on the Veterans' Affairs Committee with HORACE KORNEGAY since I came to Congress. He is one of the most able, considerate, and dedicated Members of this House that I have been privileged to serve with. The veterans of this country have profited in a great number of bills that HORACE KORNEGAY has sponsored or handled in his subcommittee. I am going to miss him as a friend, and the veterans of this country will miss the leadership that he has provided. It has been my privilege to serve with him, and I wish him and his family all the happiness that he is entitled to, and many, many more years of service to his State and to his country.

Mr. FOUNTAIN. I thank my distinguished colleague from Texas.

Mr. TAYLOR. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I am happy to yield to my distinguished colleague, the gentleman from North Carolina.

Mr. TAYLOR. Mr. Speaker, I wish to join my distinguished colleagues in recognizing the outstanding congressional record and paying respect to my distinguished colleague, HORACE KORNEGAY, who has decided to retire from Congress at the end of this congressional term. The people of North Carolina and the Nation realize that in HORACE KORNEGAY they have had an able and dedicated Representative in the U.S. Congress.

I had been a Member of Congress only 6 months when HORACE first took the oath of office. In the main, we were freshmen Members and learned together. I soon noticed that HORACE liked people and that he was quick to get acquainted, and that people liked him and trusted him and respected his judgment. His friendly disposition, magnetic personality, his fairness, his fine qualities of character quickly earned for him the friendship and respect of the Members of Congress of both political parties.

HORACE, like Will Rogers, never met a person whom he did not like and he never met a person who did not like him. He has the unique ability to make people of all stations in life feel that they are his friends and are important to him.

He added dignity and integrity to politics. He never lost faith in the principle of duty and devotion to Americanism and to the causes of freedom.

As HORACE leaves Congress, the veterans of North Carolina and the Nation loses the services of a close friend and a strong supporter. For the past 8 years he has been a valuable member of the House Veterans' Affairs Committee and has promoted sound veterans legislation and decisions. He stood by my side as we met so often with the head of the Veterans' Administration in an effort to secure the long-promised new veterans hospital at Oteen, N.C.

He stood by my side as we made a successful fight to prevent the closing of building E at the Oteen Hospital, which provided a home for 140 chronically disabled veterans, many of whom had no place to go and no one to care for them.

Congressman KORNEGAY has remained humble and close to the people whom he served and has kept a responsive heart to their needs. He loves his home State of North Carolina and his home city of Greensboro and his family. It was this love of home which caused him to leave our ranks.

HORACE and Annie Benn Kornegay have been close friends of my wife, Evelyn, and me. We hope that this closeness will continue and we wish the best for them and their family during the years ahead.

Mr. FOUNTAIN. Mr. Speaker, I thank the gentleman from North Carolina.

I yield at this time to my friend, the gentleman from South Carolina [Mr. DORN].

Mr. DORN. Mr. Speaker, I join with my colleagues today in paying tribute to one of the most outstanding Members of this House of Representatives to serve during a great era in American history. HORACE KORNEGAY has served here in the tradition of Zebin Vance, Governor Aycock, Max Gardner, Gordon Gray, and many others prominent in the history of the great State of North Carolina, the Tarheel State.

I might say HORACE KORNEGAY has been a very able and influential and beloved Member of one of the greatest delegations in the United States of America, the great North Carolina delegation.

I know I express the sentiments of my wife and her people in North Carolina, when I say that HORACE KORNEGAY has been one of the truly outstanding Members it has been my privilege to know.

I came here more than 20 years ago, and it has been my great honor to have served with HORACE KORNEGAY now for 8 years. I know of his dedication to the veterans of our country and to the men standing guard on the ramparts of freedom all over the world. I know that HORACE KORNEGAY has done as much as any man in this Congress and in this country and has been responsible for more veterans' legislation in a shorter period of time than perhaps any man in the history of the Congress. The third generation GI education bill (the Veterans Readjustment and Benefits Act of 1966; the Vietnam era bill which gives equal status to the Vietnam veteran as was given the veterans of World War II and Korea; Public Law 90–77 making possible that no veteran would lose his benefits because of an increase in social security legislation; increased compensation for the service connected disabled veteran; better hospitalization for all veterans; and many other bills beneficial to the veterans, his widow, and dependents, can be laid in great part to the energy and devotion of HORACE KORNEGAY. I sat with him on the Veterans Affairs Committee, and I have seen first hand his outstanding work.

I might say to the dean of the great North Carolina delegation that HORACE KORNEGAY has placed foremost the principles and ideals that made America great—the great enterprise system, individual liberty, the worth and dignity of the individual. He is dedicated to individual liberty, yes, and to those principles enunciated by the Founding Fathers.

HORACE KORNEGAY has always stood for a strong America, militarily strong, and for law and order, knowing that if this country ever becomes weak, the predatory powers throughout the world will launch an attack even on the shores of this country.

It is men like HORACE KORNEGAY who stand in the forefront of the battle for freedom at home and abroad.

Of course, we are going to miss him here. I wish for him, his lovely wife and family the best always, but I make this prediction: that HORACE KORNEGAY will be back some day in the other body or as Governor of the great State, the Tarheel State of North Carolina.

Mr. FOUNTAIN. Mr. Speaker, I thank the distinguished gentleman from South Carolina [Mr. DORN] for his fine tribute to our colleague.

At this time, Mr. Speaker, I yield to the gentleman from South Dakota.

Mr. REIFEL. Mr. Speaker, I thank the distinguished gentleman from North Carolina for yielding.

Mr. Speaker, I thank the gentleman for taking this time to enable those of us who hold our colleague, HORACE KORNEGAY, in such high regard, to have an opportunity to tell him goodby, but to ask him to come back and see us often.

I came to the Congress at the same time that HORACE KORNEGAY did.

I think of it as one of the greatest enjoyments of my service here these past 8 years, to be associated with HORACE KORNEGAY. He is a man who stands tall in the Congress.

We each attempt to uphold the stature of this great body, and I believe HORACE has done that and led the way for all of us.

It is always a great privilege for me, when I can find a man anywhere in this country with whom I can identify myself and feel that I have been lifted a bit as a man, trying to be one. HORACE is one who has set that kind of example for those of us here who have had the privilege of serving with him in the Congress.

So, as he leaves—with regret to me that he does—he will leave this body the poorer for his departure, but he will leave the Congress richer for his service and the Nation richer for his dedication.

I am grateful to the gentleman from North Carolina [Mr. FOUNTAIN] for taking this time, that we may have this privilege. I join the others in their expressions. Though I am not as eloquent in what I should like to say, all they have said I would underscore and add to if I could.

As HORACE leaves us, Mr. Speaker, following this session of the Congress, all of us who came with him in the 87th Congress, I know, will join with me in expressing our appreciation for his service not only to us in this body but also to his great State and to his beloved Nation.

We wish for him in whatever he hopes to do the same success and achievement. I know it will be achieved, with the kind of support and gratification that we as his associates have found. We want to give to him, as he goes out, wherever he goes, back to his beloved State of North Carolina, our very best wishes.

Mr. FOUNTAIN. I thank the distinguished gentleman from South Dakota for his fine tribute.

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I am happy to yield to my distinguished friend and colleague, the gentleman from North Carolina, a great and close personal friend, and for some time here a roommate of our distinguished colleague, HORACE KORNEGAY.

Mr. HENDERSON. Mr. Speaker, I thank the dean of our delegation for affording us this opportunity to salute our good friend HORACE KORNEGAY.

There are times when it is difficult or impossible for one to put into words what he truly feels in his heart. For me, this is such a time.

From the time we entered the House of Representatives together as freshmen Members of the 87th Congress from North Carolina, HORACE KORNEGAY and I have been unusually close.

Of course, we have shared many common experiences as a result of the similarity of our situations, but in addition, both of our families have remained in North Carolina and we have shared an apartment for nearly 8 years.

It was a shock to me, but not really a surprise, when HORACE announced his decision to retire from the Congress and to resume private life where he would have an opportunity to be the kind of husband and father he wants to be during the critical years when the character of his children will be molded.

All of the Members of this body realize the personal sacrifice their colleagues make in their service here by way of having to spend so much time away from their families regardless of what kind of personal arrangement they may attempt to make, and few will be surprised that HORACE reached the point that he felt the continuation of the sacrifice was too great.

Certainly, it is fitting for those of us who know him best to take this opportunity to commend him for the great contributions he has made to the cause of good government and for his service to the State and the Nation.

As a member of the House Committee on Interstate and Foreign Commerce, HORACE has played a highly significant role in shaping some of the critical legislation of recent years, such as the Cigarette Labeling Act of 1965 which grew out of a great hue and cry to "brand" cigarettes as poison or otherwise treat cigarette smoking in a manner not justified by established facts. When the Federal program to provide for assistance in the fight against heart disease, cancer, and stroke was before the Commerce Committee, HORACE again was one of the leaders in hammering out a much better bill than the one originally introduced.

Having been an Army sergeant during World War II with combat service in Europe which earned him the Purple Heart, HORACE was unusually well qualified to serve on the Committee on Veterans' Affairs and distinguished himself by his service on that committee just as he had distinguished himself by his service on the battlefield.

The House of Representatives will be poorer for HORACE'S decision to retire, but has been strengthened by his distinguished service as one of its Members for 8 years.

I join with my colleagues in paying tribute to HORACE on the occasion of his retirement, and I wish for him and his family many happy and fruitful years. I know that the termination of his affiliation with this body will not mean the end of his service to his State and to the Nation, for public service is too much a part of him to be terminated simply because he no longer holds a particular office.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I am happy to yield to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. I thank the gentleman for yielding.

Mr. Speaker, it speaks well of the North Carolina delegation that they would reserve this time so that some of us would have a chance to say officially and publicly how much we think of our great and good friend HORACE KORNEGAY.

I serve with Congressman KORNEGAY on the Committee on Interstate and Foreign Commerce. I think, I am, perhaps even better than others on the committee, in a position to comment on this, because I sat close to him during the consideration of so many matters, so that I am in a better position to know the contribution he has made to this Congress. The Committee on Interstate and Foreign Commerce, perhaps like other committees, is involved in a lot of controversial things. We have jurisdiction over many of the regulatory agencies. This committee is a scrappy committee. It is always fighting over something. We become involved in heated arguments. Whether we are divided on a Democrat or a Republican basis or on a liberal or conservative basis or just in differences of opinion as between individuals, we sound off loud and clear. I can assure you there are no blushing violets on that committee. But in those moments of controversy the one voice that comes to the forefront of reason more often than any other is that of HORACE KORNEGAY. The men from the North and the men from the South find in him a common ground to discuss a solution to a given problem. When an amendment is offered, HORACE KORNEGAY, because of his outstanding legal ability, can go to the very heart of the problem. If he is offering an amendment, both sides of the aisle know that he is offering it in complete sincerity and that it has been given great thought.

When I say that HORACE KORNEGAY is the balance wheel of our committee, I am certainly understating the situation. On top of all that, what makes it so much more difficult to realize that we are going to lose him is that he is such a fine gentleman. One of your own delegation referred to him earlier today as the real southern gentleman. Well, he is that indeed. He is fair, fair almost to a fault, but because of that innate fairness he holds the respect of every member of our committee. I have seen him carry a motion just because he offered it and they knew that this was a good man and a wise man and a kind man that was offering the amendment.

So, Mr. Speaker, our committee will suffer a great loss when he departs, and this Congress will be lessened in its effectiveness when HORACE KORNEGAY goes his way.

Mr. Speaker, sometimes we wait until a man has passed on or is defeated or until illness has struck to pay our tributes, but today at the moment when our colleague has voluntarily decided to retire it is with a good feeling that we

can pay our high respects to him, because he is one of the finest gentlemen and leaders in the entire Congress. I salute him today on this occasion. I value my friendship for this man as one of my dearest possessions. My life is far better for having known him.

Mr. FOUNTAIN. I thank my distinguished colleague, the gentleman from Texas [Mr. PICKLE] for his very splendid tribute to our dear friend and colleague, HORACE KORNEGAY.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I yield to the gentleman from Alabama.

Mr. BUCHANAN. Mr. Speaker, I would like to join the distinguished dean of the North Carolina delegation and others of my colleagues who have joined in paying tribute to our beloved friend, HORACE KORNEGAY.

Mr. Speaker, I certainly associate myself with the remarks that have been made thus far and say that in my own experience I have seen HORACE KORNEGAY follow a course of Christian leadership during the period of his service in the House of Representatives. He is a fine example of Christianity in action in the performance of his duties as a Member of this body. He has served as chairman of our House prayer breakfast group. He has demonstrated in his spirit and actions the kind of leadership which our Nation must have in this time of trouble if it is to survive and we are to meet the challenges and the crises of this time.

Mr. Speaker, HORACE KORNEGAY has been a Christian politician practicing the science and the art of politics within the framework of the Sermon on the Mount and the principles enunciated in the Sermon on the Mount. He has made the kind of contribution that this country needs and has rendered the type of service which it needs.

Therefore, Mr. Speaker, as he faces his retirement after a distinguished career in this body I would express to him the hope that life will hold for him the rich happiness and success that he so well deserves. The same ability and usefulness which have marked his career as a Member of the House of Representatives and as a member of this Government serving in the highest legislative body of our country will surely mark his future work so that success must follow in due course.

Mr. Speaker, HORACE KORNEGAY has demonstrated a devotion to our country which we must have if our Nation is to fulfill the great dream of freedom which is its heritage, and I wish to express my gratitude to him for the contributions which he has made as a citizen and as a Christian and for what I know he shall do in the future as he leaves this House to go to serve in another capacity.

The Nation has been blessed by his service here and I am sure it will continue to be blessed by his continuing achievements in the years to come.

Mr. FOUNTAIN. I thank the distinguished gentleman from Alabama for those most gracious remarks in behalf our distinguished colleague, HORACE KORNEGAY.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I am pleased to yield to the distinguished gentleman from Texas.

Mr. POAGE. I thank the gentleman for yielding to me at this point to join in this well deserved tribute to our friend and colleague. HORACE KORNEGAY, of North Carolina.

I would just like to suggest that in a similar vein to what other Members have said, I regret to see our colleague from North Carolina retire from this body.

Mr. Speaker, unlike many of the other Members of this body I have not had the privilege of serving on any committee with HORACE but I have had the privilege of knowing him. I have had the privilege of knowing him as one of my friends and to come to respect and admire him as I believe every Member of this House does.

Mr. Speaker, in my opinion it is unfortunate that he has made the decision to retire. I say this although all of us understand the reasons therefor. I think it is unfortunate in that it will weaken the House of Representatives. Regardless of who succeeds him, that individual will not be able to step into the position of leadership that HORACE KORNEGAY has attained in the relatively few years of service in this body. There are not many men who come here and serve for the period of 8 or 10 years as he has—although that seems like a long time in looking back over the past—who had quite the impact upon the operations of this Congress as the gentleman from North Carolina. After all, Mr. Speaker, it takes most men longer than it has taken him to attain the position that he has enjoyed in this body.

Mr. Speaker, I profess not to be in position to say anything new that has not been said this evening. However, I did not want to let this occasion go by without expressing to HORACE KORNEGAY my own appreciation of his service here and to express to him my best wishes for success in whatever activity in which he engages hereafter.

Mr. FOUNTAIN. I thank the distinguished gentleman from Texas, the chairman of the Committee on Agriculture, for his most gracious and kind remarks in behalf of our colleague from North Carolina.

Now I am happy to yield to the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Speaker, I thank the distinguished gentleman in the well [Mr. FOUNTAIN] for permitting me to join so many of HORACE KORNEGAY's colleagues here this evening to pay tribute to his distinguished service in this House, and to the great elements of character which he possesses which have endeared him so much to all of us who have been privileged to be his colleagues.

Mr. Speaker, immediately when I came here I got to know HORACE KORNEGAY, and became very much attached to him. I admired his outstanding legal ability, and the quality of statesmanship which I observed in his demeanor and his conduct here. I was naturally very much taken by the courtly manner which he always exhibited, and by the gracious concern which he always manifested to all of his colleagues, and those with whom he came in contact.

I also became very much impressed with the warmth of his heart, the compassion that was in his nature, the concern which he evidenced for the people with problems, and for the problems of his country.

Then I had the privilege of appearing before HORACE KORNEGAY on some of his committees, and I observed there the dedication that he manifested to the work that he was doing, and the particular courtesy which he always showed to those who came before his committee. This man has made America better, greater, and stronger than it would have been had he not given so many years of distinguished service here in this House of Representatives.

He has had a vision of the kind of an America that our forefathers sought to establish. He has nourished that great tradition for which we shall always be indebted to them. He has in his great dream for America charted a course that I am sure we shall pursue in the years ahead.

I just want to be one of those to attest my friendship for HORACE KORNEGAY, to express my esteem and highest regard for him, and to be one of those to wish to him and his family as they leave here to go back home to be so warmly welcomed by their fellow citizens, my affectionate good wishes and my heartfelt hope that his ways may be happy ways, and his years may be long with good health and good cheer.

Mr. FOUNTAIN. I thank my friend, the distinguished gentleman from Florida.

Mr. Speaker, I am happy to yield to my distinguished friend and colleague, the gentleman from North Carolina [Mr. GALIFIANAKIS].

Mr. GALIFIANAKIS. Mr. Speaker, I thank the distinguished dean of our delegation, and of course at this point, being low man on the totem pole, most of the remarks have been preempted, but I do wish to associate myself with all the fitting remarks, the deserving remarks, and the bipartisan remarks that have been made about the resplendent career of Congressman KORNEGAY.

Mr. Speaker, for almost 2 years, as the result of redistricting in our State, I have had the honor of serving in the Congress with "my own Congressman"—one of the most able and popular Representatives our former district had ever elected—a diligent lawmaker, erudite attorney, noted civic leader, enthusiastic sportsman, and devoted father. He is the man to whom we pay tribute today—my distinguished friend and colleague from North Carolina, HORACE KORNEGAY.

In 1960 he left behind his family and a flourishing legal career to serve his constituency in the Halls of Congress. And he has served them exceptionally well—working arduously in their behalf as a member of the House Interstate and Foreign Commerce Committee and the House Committee on Veterans' Affairs. He has been a zealous opponent to anti-smoking curbs on advertising, an articulate spokesman for the textile industry, a champion of veterans' rights. He has effectively wielded his knowledge and

authority in the molding of the public television bill and in the study of supersonic transportation. In all things he has sought to represent his people fairly and honestly. At the same time he has won the admiration and affection of his colleagues, both in committee and on the floor. This is the man that we in the Congress have come to know and respect.

But there is also another man who is HORACE KORNEGAY—a man who, through the countless hours that he worked—longed for home and family, for a chance to be reacquainted with his children; to spend a weekend, not at his desk or on some podium delivering an address, but with his family—perhaps sailing his explorer craft at nearby Buggs Island, competing in the weekend races. This is the HORACE KORNEGAY who leaves us to return to North Carolina.

This body will miss his faithfulness to the often burdensome duties of office, his devotion to the concept of "a job well done." I will miss his quiet humor, his counsel, his friendship. We wish him and his lovely family much happiness and many new successes in the years to come.

Mr. FOUNTAIN. I thank my distinguished colleague and now yield to the gentleman from New Jersey [Mr. PATTEN].

Mr. PATTEN. Mr. Speaker, I was across the hall from HORACE when I came here in 1963 and imagine my amazement—I had intended to vote against cotton and agriculture. But I found that HORACE and I were working to protect the cotton industry and the textile workers because both districts are alike in that respect.

I have always said that he could have made a hit in Hollywood because of his looks and appearance. But I will tell you, HORACE—one thing about being your neighbor—we always had a lot of peanuts and we had plenty of cigarettes.

I would rate HORACE among the top 10 percent of the Members of Congress when it comes to effectiveness.

I value his friendship. We respect him as a man and I certainly am glad to join with his colleagues in this little tribute to him today. We will miss him.

Mr. FOUNTAIN. I thank my distinguished friend, the gentleman from New Jersey.

Mr. Speaker, I want to thank all my colleagues who have joined in paying tribute to our friend, HORACE KORNEGAY. I think it is particularly fitting that so many of you who have served on committees with him have been able to be present to attest to the kind of man he is.

There are many Members who wanted to be here to express themselves today and who will express themselves in the RECORD and pay their personal tributes to our distinguished friend and colleague, HORACE KORNEGAY.

Mr. DERWINSKI. Mr. Speaker, I am pleased to join my colleagues in commending the gentleman from North Carolina [Mr. KORNEGAY] upon his retirement from the Congress. He has been an outstanding Member and merits the respect in which he is held in the House.

I am especially pleased to join in this tribute to HORACE KORNEGAY since I consider him to be a good personal friend in addition to a respected colleague. He has been a conscientious, thoughtful, hard-working Member but above all, a considerate, dedicated public servant.

In this era of domestic, political, and international chaos, our country must strive for a more effective legislative branch. Unfortunately, too many Members of the Congress have allowed themselves to become subservient to the dictates of the Executive. But HORACE KORNEGAY has stoutly resisted pressures brought to bear upon him and has steadfastly represented his district in the finest tradition of representation dedicated first and foremost to his constituents.

Our colleague from North Carolina is a relatively young man. I would hope that his State and our Nation will, in the future, benefit from his ability and experience. I join his many friends in wishing him Godspeed and success as he leaves us. I certainly hope we will see him often so as to maintain our friendship.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I would like to join the gentleman from North Carolina in paying tribute to a dedicated public servant of the United States and of the State of North Carolina.

At the end of this session, the Honorable HORACE KORNEGAY will retire from Congress after 8 years of loyal service in the House of Representatives and on the Committees of Foreign Commerce and Veterans' Affairs.

HORACE is a true patriot who has worked hard to preserve the freedom of our Nation. During his 3 years of active duty in the U.S. Army he was awarded the Combat Infantryman's Badge, the Purple Heart, the Bronze Star, and two campaign stars.

A great leader and an outstanding personality, he is very popular among his colleagues. I know that I speak for all the Members of the House when I say that HORACE will be sorely missed.

I want to congratulate him now on his distinguished record of service and wish him all the good fortune he deserves as he reenters private life.

Mr. CONTE. Mr. Speaker, it was with great regret that I heard that my distinguished colleague, HORACE KORNEGAY, of North Carolina, planned to retire at the end of this session. Mr. KORNEGAY has been an able and worthy Representative of the admirable and well-governed State of North Carolina. This State has been blessed with talented political leaders, whose abilities have won them national recognition, and our colleague, Mr. KORNEGAY, is a worthy member of this distinguished company. Mr. KORNEGAY is also to be congratulated as the chosen Representative of an unusually public-spirited constituency. We had a chance just last night to see at firsthand the high caliber of the citizens of Mr. KORNEGAY'S hometown, Greensboro, N.C., in their tribute to Carl Sandburg. I was deeply impressed to hear of the excellence of this program on the Smithsonian steps as well as the thoughtfulness of the Greensboro Chamber of Commerce in sponsoring a memorial to a man who was one of the most distinguished residents of Mr. KORNEGAY'S district, as well as one of my favorite poets. Representative KORNEGAY is to be congratulated for the people he represents, just as they are to be congraulated for their Representative.

Considering this background, we should not be surprised by the distinguished and effective service of this distinguished North Carolinian. We are well aware of his outstanding achievements on the Interstate and Foreign Commerce Committee as well as on the Veterans' Committee. We are also aware of his distinguished career in the law, as well as his brilliant war record and service to veterans organizations. He has been a distinct asset to this House of Congress, and we shall miss his presence.

Mr. CLEVELAND. Mr. Speaker, I am glad to have this opportunity to pay tribute to my good friend and able colleague from North Carolina [Mr. KORNEGAY], although to be quite candid, I find this occasion a sad one for the Sixth District of North Carolina and indeed for the entire Nation. We are losing an extremely able Congressman next January, so I can only view his retirement with a sense of regret.

It was last November that I first learned of his decision to retire. His statement outlining his reasons for not seeking reelection was a most moving one, and for those in the House who did not have the opportunity to read, I would like to quote the statement in part:

> On the completion of my present term in Congress, I will have spent 20 years in public service—as a soldier, a prosecuting attorney, and a Congressman; and after much thought and soul searching, I have come reluctantly to the decision that it is time for me to return home to my family—my wife and our three children. I will therefore not be a candidate for reelection to Congress.
>
> The primary reason for my decision to *not* seek reelection is that the Congressional sessions have become practically year 'round, and for the past seven years I have been deprived of the normal relationship with my family and with my growing children. These are the years when my children most need the presence of a father, and I am sorry to say that my duties in Washington have made me a father "in absentia".
>
> In less than three years my son Robie will, I hope, enter college, and two years thereafter my daughter Kathy will do likewise. And, the way time flies, it will not be many years before little Martha will reach college age. I feel very strongly the obligation to spend as much time as possible with my children before they leave home.
>
> Some may ask why I have not moved my family to Washington? My answer is that my Congressional duties extend into the evening and often into the late evening. This naturally conflicts with a normal family life. Also, I feel that I have rendered a greater service to the constituency by returning to the District on a weekly basis to talk with the people and to aid them with their problems.

All this had caused me to reflect on how closely his situation resembles my own. My oldest daughter is the same age as his oldest son. His second-born is the same age as my son David. So I too share his regret that a Congressman cannot maintain a normal relationship with his family, while at the same time trying to perform his duties in Washington.

I feel it is a shame that a man cannot be a good Congressman and a good husband and father at the same time. Yet

this is the result of our yearlong sessions and our refusal to take even the first halting steps toward reorganizing and reforming the congressional system. How much more time and talent will be lost from both parties before we take those steps? How many more able young men like the gentleman from North Carolina will decide to leave Washington because they feel their time is more valuable elsewhere?

HORACE KORNEGAY is a man who has won the respect of his colleagues from both sides of the aisle, and we all view his departure from the Halls with regret. I can only hope that Congress will take action toward reform before this becomes commonplace.

Mr. DUNCAN. Mr. Speaker, and fellow Members of the House, today I, too, pay tribute and salute my colleague and friend the Honorable HORACE R. KORNEGAY of the Sixth District in my neighboring State North Carolina.

I have known HORACE KORNEGAY as a hard-working member of the Committee on Veterans' Affairs and have appreciated his cooperation in the past two Congresses. Thus, I am delighted to join in this special occasion to pay respect and honor to him.

A lawyer by profession, he received his legal training at Wake Forest School of Law and started general law practice in 1949 in Greensboro where he grew up. He distinguished himself with the Purple Heart and other medals in World War II and is now a member of the American Legion, Veterans of Foreign Wars, AMVET's, and an honorary member of the British Legion.

Before coming to Congress in 1960, Congressman KORNEGAY twice was elected solicitor of the 12th District of North Carolina and was praised highly for his good work. And now for the past nearly 8 years he has served faithfully the people of his home district.

To my colleague HORACE KORNEGAY and to his family, many happy years in private life and thanks for your cooperation and friendship.

Mr. HORTON. Mr. Speaker, it is with a deep sense of personal loss that I learned of the intention of my friend, and one of the ablest legislators in Congress, Representative HORACE KORNEGAY, to retire.

During the 8 years that he has served in the House of Representatives he has demonstrated a determination and ability that I can only associate with legislators of much greater seniority and renown.

He has always been a popular figure in these Halls and has used his good humor and popularity to make the task of legislating a little easier for all of us.

Never one to shirk his responsibility, he has worked increasingly as a valuable member of the Veterans' Affairs Committee and the Interstate and Foreign Commerce Committee.

He has been an excellent Representative and will be sorely missed by his friends and colleagues.

He has well served his State of North Carolina and his country. He is a lawyer, a decorated combat veteran of World War II, and once served as the prosecuting attorney of the 12th judicial district of his State.

He has decided not to run again for Congress so that he will be able to spend more time with his growing family. Any man who willingly gives up so much for love of his family must be congratulated. A lesser man would not follow such a course.

I am positive that, whatever course HORACE KORNEGAY chooses to follow, that path will be brighter due to his presence.

I am equally sure that, if they could, the veterans of this country would wish to thank HORACE KORNEGAY for his efforts to improve their lot. He has unfailingly devoted his time and energy to providing better benefits to those veterans who gave so much of themselves to this country.

Representative KORNEGAY must feel a deep sense of pride and accomplishment as he looks back at his contributions as a member of that committee.

Still a young man, HORACE KORNEGAY can look forward to countless years of additional accomplishment. With his lovely family beside him, I cannot imagine a height so steep or difficult that he will not be able to scale it.

He has the energy, the foresight, and the love of honest, hard work needed to guide him to success in his future endeavors.

Because he has these qualities, I feel a certain ambivalence about his retirement from the House: On the one hand I am happy that he will be with his family; on the other, I shall regret his absence. I wish him good luck and Godspeed.

Mr. RHODES of Arizona. Mr. Speaker, I am pleased to join my colleagues of both parties in a special tribute to Hon. HORACE R. KORNEGAY, on the occasion of his retirement from public service at the end of this session of Congress. HORACE KORNEGAY is an invaluable legislator, who has won the respect and admiration of his colleagues on both sides of the aisle for his astute judgment and his dedication to the betterment of his fellowmen in his congressional district and in the Nation. I am proud to have been a friend to a man who has contributed so much in his 8 years in the House of Representatives.

We shall miss Representative KORNEGAY's wisdom and counsel in both the Interstate and Foreign Commerce and the Veterans' Affairs Committees, but more than that, we shall miss his friendship and the good will he has always maintained toward his fellow Members.

Mr. Speaker, I wish to take this opportunity to wish Representative and Mrs. Kornegay every happiness and fulfillment in their future.

Mr. VANIK. Mr. Speaker, I am proud and privileged to join with the many other Members of Congress, who are today paying tribute to the distinguished gentleman from North Carolina [Mr. KORNEGAY].

During his 8 years as a Member of Congress, the distinguished gentleman has proven himself to be a responsible and deeply concerned Representative of the Sixth Congressional District of North Carolina, a strong believer in the American way of life, and an active Member of Congress. His work on the Committee on Interstate and Foreign Commerce and the Committee on Veterans' Affairs has received the highest praise and respect of his colleagues. Moreover, the determination and untiring concern he has displayed in the areas of consumer welfare, public and educational television, and air transportation has resulted in a number of proposals and laws which are greatly needed in these areas.

His career of 20 years in public service has been one of distinction and dedication. His admirable service as a soldier, prosecuting attorney, and U.S. Congressman is one for which the people of North Carolina and Members of Congress are extremely proud.

We here in the Congress sincerely hope that the distinguished gentleman will enjoy his future work. He has served his country well and in the finest tradition of public service. I want to wish him the best in the years to come.

Mr. WHITTEN. Mr. Speaker, I join with my colleagues in expressing regrets at the voluntary retirement of HORACE KORNEGAY, of North Carolina, a very valuable member of a fine delegation. HORACE has made real contributions to the Nation in his years here, and he leaves a very fine record behind him in the Congress. In recent years the work has gotten more and more exacting, and the sessions have gotten longer and longer; so we have some understanding of his desire to get back into the active practice of law while he is a young man. We certainly wish him well and know that good fortune and success will follow him in his vocation.

At the same time we see him go with deep regret, for while his contributions to the House of Representatives have been great in the past I am sure they would have grown even greater as time passed. I have frequently said it seems that those who voluntarily retire are those we can least afford to give up. Certainly my colleague and friend, HORACE KORNEGAY, is in that category.

Mr. RODINO. Mr. Speaker, I am proud to join with my colleagues today in paying special tribute to my friend, HORACE KORNEGAY.

The 91st Congress will be the less for HORACE's absence, for in his 8 years in the House he has served his constituency and his Nation well. It has been my pleasure to have served with him as an assistant whip, in which capacity he contributed much to the House leadership.

HORACE is an able legislator and a warm and gracious gentleman. I wish him all the best in the future, and hope that we will often have the pleasure of his visits.

Mr. PHILBIN. Mr. Speaker, Congressman HORACE KORNEGAY is one of the finest gentlemen and one of the most outstanding colleagues and friends that I have had the high privilege of serving with in this great body.

This young man is highly trained for his tasks. He is endowed with great qualities of mind and heart—outstanding ability, lofty patriotism, and sincere dedication to the service of his constituents the American people, the Government,

and the country. He has made an extraordinary record in this House in the relatively short time he has been here. He is well informed, active and knowledgeable in committee and debate and enjoys the respect, esteem, admiration, and affection of all who have the high privilege of knowing him.

I am very sorry that he is leaving this body, but I well understand the reasons that prompted him. He is a young man with a growing family and responsibilities, and he is not in a position where he can continue to make the heavy sacrifices required these days by the growing demands of our public service here, and at the same time respond as he wishes to the needs and claims of his beloved family and dear ones.

It is with a sad heart that those of us who know, love and admire HORACE KORNEGAY see him leave this great Chamber, where he has made such a splendid record.

I hope that the time will come again, perhaps when he will be in a position to assume public office once more, because he is admirably adapted for this type of service, and his departure from this House will be a real loss to the stature, prestige and effectiveness of our great legislative body. Moreover, his leaving the House will be a great personal loss, because he has been popular, well liked, and much admired by all of us here for his sense of dedication and his fine, courageous, warmhearted personal qualities, his consideration and courtesy and the glowing warmth of his friendship.

I want to compliment him upon his magnificent service, and wish him, his gracious wife, and lovely family all choicest blessings in the time to come. I wish for them all continued good health, success in all their endeavors, and happiness, peace and contentment for many years to come.

Mrs. KELLY. Mr. Speaker, I wish to join my colleagues today in paying tribute to a fine gentleman from North Carolina, Mr. HORACE KORNEGAY, who is retiring from the Congress at the end of this session.

It has been a pleasure and an honor to have served in the Congress with the gentlemen from North Carolina, and I want to express my best wishes to him in all his future endeavors. Both in his service in the Congress and his service in the U.S. Army during World War II, HORACE KORNEGAY has demonstrated his devotion to our country and his willingness to serve it. America is fortunate indeed to have such a devoted citizen.

Mr. FEIGHAN. Mr. Speaker, although our colleague, HORACE KORNEGAY, has made his own decision to leave this body and devote his time to his law practice in Greensboro, and enjoy more time with his family, he takes with him into private life the respect and good wishes of his colleagues. During the time our colleague has served with us, he has made warm friends and earned the high esteem in which he is held. He is a public spirited gentleman whose interest in national affairs evidenced itself early in his college days and has remained with him during his tenure of office in Congress.

The Sixth District of North Carolina is losing an able and dedicated Representative, and I join with my colleagues in wishing many happy and useful years to HORACE KORNEGAY as he returns to his law practice in Greensboro, and it is hoped that his decision to return to his hometown will afford him more time to devote to his attractive and interesting family. I have enjoyed his friendship and I know he has enjoyed serving with us and that he has benefited from his experience here in this body. My good wishes go with HORACE for a long, happy, and prosperous life.

Mr. GIAIMO. Mr. Speaker, I rise today to pay tribute to the distinguished gentleman who has represented so ably the Sixth District of North Carolina in the 87th, 88th, 89th, and 90th Congresses.

During the past 8 years, HORACE KORNEGAY has distinguished himself and the Congress by the service which he has performed for our Nation, his congressional district, and the State of North Carolina. The admiration expressed for this gentleman by his colleagues on the Interstate and Foreign Commerce Committee during recent debate on the pipeline safety bill is ample testimony of the high esteem in which he is held.

It has been a privilege to have served in this body with such a dedicated, loyal, and personable gentleman. We will suffer a great loss when he retires and departs the Halls of the U.S. Congress at the end of this session.

I would like to take this opportunity to extend to my good friend and colleague HORACE KORNEGAY every good wish and every happiness in his future endeavors.

Mr. MCCORMACK. Mr. Speaker, the Honorable HORACE ROBINSON KORNEGAY is leaving us, after this session of the 90th Congress, to return home to Greensboro, N.C. It is a sad time for us, for Mr. KORNEGAY has gained our admiration and affection. For 8 years, Mr. KORNEGAY has commuted between Greensboro and Washington, seeing his wife and children only on weekends. He wants to spend more time than that with his family; all of us can understand that.

Congressman KORNEGAY was born on March 12, 1924, to Marvin Earl Kornegay and Blanche Person Robinson Kornegay, in Asheville, N.C., yet he has nearly always called Greensboro "home." He was educated in the public schools of Greensboro and received his undergraduate degree from Wake Forest College. He went on to receive his LL.B. degree from the Wake Forest College School of Law. From 1943 to 1946, he served in the U.S. Army, and he was awarded the combat infantryman's badge, the Purple Heart, the Bronze Star, and two campaign stars.

Following his discharge from the Army, Representative KORNEGAY practiced law, became a member of the North Carolina Bar and was admitted to practice before the North Carolina State Supreme Court and the U.S. Supreme Court. He holds membership in the Greensboro Bar Association, the North Carolina Bar Association, the American Bar Association, the American Judicature Society, and the Federal Bar Association. Mr. KORNEGAY served for 3 years as an assistant solicitor and was elected in 1954 to the office of district solicitor for the 12th Judicial District of North Carolina. He was reelected in 1958. Congressman KORNEGAY has shown his concern for the responsibilities of American citizenship by joining many patriotic and community service organizations, including the American Legion, Veterans of Foreign Wars, AMVETS, the North Carolina Society of Sons of the American Revolution, the Masons, and the Shriners. He is a lifelong member of the Methodist church. He is a member of Alpha Sigma Phi social fraternity, Phi Delta Phi legal fraternity, and Omicron Delta Kappa, the men's leadership fraternity.

Mr. KORNEGAY was first elected to the U.S. Congress in 1960. Having defeated his opponent in the Democratic primary, he went on to win the election by capturing almost 60 percent of the popular vote. Since coming to Washington, Representative KORNEGAY has served the people of the Sixth District of North Carolina with enthusiasm and dedication. He has served on the Interstate and Foreign Commerce and the Veterans' Affairs Committees, and he has served well.

We will miss Congressman KORNEGAY. With our greatest respect and fondest best wishes he now returns to Greensboro and his dear wife, the former Annie Ben Beale, and his beloved children, Horace Robinson Kornegay, Jr., Kathryn Elder Kornegay, and Martha Beale Kornegay. HORACE KORNEGAY'S hard work, selflessness, and devotion to duty will not be forgotten by his constituents, his colleagues, or his country.

Mr. ALBERT. Mr. Speaker, I wish to associate myself with the words of my esteemed colleague, Representative L. H. FOUNTAIN, in which he has eloquently expressed the deep regret existing among us that at the end of this session we must bid farewell to that splendid and meritorious Member of this body. Congressman HORACE KORNEGAY who will at that time retire as Representative for the Sixth District of North Carolina.

There is nothing I can say, nor are words available, to adequately express the loss to this body, and the loss to the people of his district, which will occur as a result of Congressman KORNEGAY'S decision to retire. His entire career displays a devotion to duty. His patriotism in World War II is an example of his continued loyalty to his country which he has further carried on during the years of his work as a Member of this body.

During Army service in the years 1943–46, our esteemed colleague not only was awarded the combat infantryman's badge, but the Bronze Star, and the Purple Heart, as well as two campaign stars. He has contributed highly efficient work as a public servant both in State and Federal offices. As a lawyer and a member of the bar of his native State, and as a Member of the Congress, he has not only been devoted to the enforcement of the law, but to the making of new law beneficial to the people of his State, and the people of the Nation.

I am certain that I express the view of all his colleagues that when we say goodbye to him as a fellow Member of the Congress, we say it with deep regret that we must lose such a valuable Member.

Mr. MAHON. Mr. Speaker, I take pleasure in joining my colleagues in saluta-

tions to the gentleman from North Carolina, HORACE R. KORNEGAY, upon the eve of his leaving the Halls of Congress after 8 years of dedicated service to his district and the Nation.

HORACE KORNEGAY is a gentleman, a Christian gentleman whose objective throughout his service has been the public good. He has been unwavering in support of his convictions. This a better country because of his service here.

For personal and family reasons, I have had a special interest in the congressional career of HORACE KORNEGAY. When the Congress adjourns and he returns to his home State, he will carry with him the deep respect, friendship, and good wishes of all those who have had the privilege of working with him here.

Mr. MILLS. Mr. Speaker, I am honored to join in these expressions of appreciation and farewell to one of the most valued and respected Members of this House, the distinguished gentleman and our very good friend from North Carolina, HORACE ROBINSON KORNEGAY.

HORACE KORNEGAY was first elected to the House of Representatives on November 8, 1960. He came to us at that time with an excellent background in terms of education, experience, and proven ability. His exceptionally fine formal education included a bachelor of science degree and a Bachelor of Laws degree from Wake Forest College, that venerated and highly respected institution of higher learning in his beloved State of North Carolina. His broad background of practical experience included an excellent record of service in the Army in World War II, a career as a practicing attorney, and a period of elected service as district solicitor which is the equivalent of the important office of prosecuting attorney in my home State.

It was inevitable, Mr. Speaker, that HORACE KORNEGAY would succeed in building in the Congress of the United States a record of loyal, dedicated, and very effective service to the people of his district, his State, and this Nation. From the inception of his service here in the House, he has made notable contributions in the development of exceedingly important legislation. His mark is particularly evident in significant measures that have been initiated in the Committee on Interstate and Foreign Commerce and the Committee on Veterans' Affairs, where he served so faithfully, efficiently and effectively.

Mr. Speaker, we shall miss HORACE KORNEGAY in this body. We shall miss his keen insight and sound legislative judgment, and we shall miss his warm friendship. I appreciate having this opportunity to pay tribute to his fine work and accomplishments here in the House of Representatives and to wish for him and his family the very best in his new interests and endeavors.

Mr. BROOKS. Mr. Speaker, I join my colleagues in paying tribute to the distinguished gentleman from North Carolina [Mr. KORNEGAY]. Having served with him for the last 7 years, I deeply respect and admire him for his dedicated service to our Nation.

Congressman KORNEGAY, will be missed here in Congress. His loss will be felt most by his constituents whom he has served so faithfully and also by those of us who have had the honor to serve with him.

I know that he can reflect with great pride on his many accomplishments in behalf of his district, the State of North Carolina, and our Nation.

Mr. SIKES. Mr. Speaker, HORACE KORNEGAY's retirement is going to be a very significant loss to the House of Representatives. I have seen a lot of Members come and go during my time here. He is one of the best, and his is the kind of service we can ill afford to lose.

I have watched his work with appreciation from the day that he entered Congress, and I congratulate him upon his splendid service to North Carolina and to the Nation. Outstanding in every sense, he has been faithful to his duties, responsible to the people he represents, and highly effective in his work. He is one of those fine and capable men of the type we have come to associate with the North Carolina delegation.

I have been proud to enjoy his friendship, and I shall watch his future activities with much more than passing interest. I am confident his talents will prompt many demands upon his services in future years, and I hope that they will again be available in public service, for he is admirably adapted to this important field.

My very best wishes go with him and his family in all that they may undertake in the years ahead.

Mr. WILLIAM D. FORD. Mr. Speaker, I am pleased to join in paying tribute to my good friend and colleague from North Carolina, Congressman HORACE R. KORNEGAY, who has announced that he will retire from Congress at the end of the current session.

Congressman KORNEGAY will have served 8 years in the House of Representatives, and has compiled a record of diligent and effective representation for his constituents. As a member of the Interstate and Foreign Commerce Committee and the Veterans' Affairs Committee, he has lent his name and influence to much of the legislation which has emerged from these two important committees.

As a Member of Congress for the past 3½ years, it has been a privilege and pleasure to serve with HORACE KORNEGAY. I have developed a profound respect for his legislative skill, his knowledge of the workings of Congress, and his unfailing courtesy and good will.

I join with my colleagues in expressing sadness at his departure, and in wishing him good luck and success in all future endeavors.

Mr. EVINS of Tennessee. Mr. Speaker, permit me to join with our friends from North Carolina and others in paying a brief but sincere tribute to our distinguished colleague, HORACE KORNEGAY, who is retiring and is returning to his native North Carolina after this session of Congress.

HORACE KORNEGAY is one of the finest examples of an active, aggressive, and able legislator. He represented his district, State, and Nation well and faithfully, and we shall miss him in the new Congress. He has served his people well and with distinction, and I wish him good luck and Godspeed as he seeks retirement.

He served as a member of the Committee on Interstate and Foreign Commerce and the Committee on Veterans' Affairs, has made his mark in the Congress, and with it all is esteemed by his colleagues as a legislator and a gentleman.

Mr. ANDREWS of Alabama. Mr. Speaker, it is a pleasure for me to have this opportunity to pay tribute to my good friend and colleague, the Honorable HORACE G. KORNEGAY, who will soon complete 8 years of service as Congressman from the Sixth Congressional District of the great State of North Carolina. It is a pleasure because HORACE KORNEGAY has compiled an enviable record of service to his State and Nation.

But, Mr. Speaker, I am greatly saddened that he will be leaving the House of Representatives at the end of these 8 years of distinguished service. I know of no man who has worked more diligently and enthusiastically for the betterment of this Nation and its people. And the fruits of his labors here are evidenced by the fact that in his 8 years in the House, he has risen to high ranking positions on two of this body's major committees. He leaves Congress as the seventh ranking majority member of the Committee on Veterans' Affairs and the eighth ranking majority member of the House Committee on Interstate and Foreign Commerce. He is also the youngest of the top eight majority members on this key committee.

He played a major role in legislation dealing with health, traffic safety, mental health, and the control of drugs and their abuses, through his work with the Interstate and Foreign Commerce Committee.

On the Veterans' Affairs Committee, HORACE has applied his energies and influence to shape legislation affecting medical, education, and other services needed by those who have served in this Nation's military services. HORACE is himself a veteran, having served in the Army in World War II, for which he received the Purple Heart, Bronze Star, and the Combat Infantryman's Badge.

HORACE has clearly demonstrated his legal abilities before coming to Congress in 1960. He practiced law in Greensboro, N.C., served as solicitor of the 12th District of North Carolina, and has been admitted to practice before the North Carolina Supreme Court and the U.S. Supreme Court.

The accomplishments of HORACE KORNEGAY speak for themselves. In his 8 years in the House, his every action has reflected his unquestioned integrity and his deep interest and concern for his district, State, and Nation.

However, Mr. Speaker, to all of these qualities and to all of the praise that is rightfully due HORACE KORNEGAY, the one quality that he has demonstrated in leaving the House, and perhaps the most important of all, is the quality of selflessness.

HORACE is first and foremost a devoted husband and father, and in these roles he has reason to be proud, and his years in Congress have deprived him of many

hours with his dear wife, Annie, and his three lovely children: Horace, Jr., Kathryn, and Martha. He expressed it best when he said, "It is time for me to return home to my family."

Mr. Speaker, all of us know that congressional sessions have become almost all year-round and that the daily congressional routine during this time is long. And although I regret that HORACE will be leaving Congress, I do understand his reasons for doing so.

I shall miss his presence here as a friend, and I know that his constituents, among them my daughter and son-in-law and their family in Greensboro, will miss him as an able and loyal Congressman. I hope that he will come back to see us again, and often.

So, Mr. Speaker, the best years of HORACE KORNEGAY'S life are ahead of him. I am sorry that my friend from North Carolina will not spend them in Congress, but I do wish him and his fine family success in his every endeavor, as HORACE KORNEGAY returns to the role of private citizen in Greensboro, N.C.

Mr. Speaker, the distinguished gentleman from North Carolina will be greatly missed.

Mr. CORMAN. Mr. Speaker, I feel a deep sense of loss at learning of Representative KORNEGAY'S decision not to seek reelection this fall.

HORACE KORNEGAY and I were freshmen Congressmen during the 87th Congress in 1961. As new Members, we joined that special fraternity of eager, ambitious Congressmen who first must learn to walk before they can run. Of incoming freshmen that year, I can proudly point to Representative KORNEGAY as one of the finest and quickest to learn. His ability to grasp a situation at the outset and forge ahead toward an equitable solution has become even more acute during the 8 years of his four terms in the House of Representatives.

His devotion to making this country a better place in which to live has been inspiring to all of us, and his excellent record as a member of the Veterans' Affairs Committee and the Interstate and Foreign Commerce Committee is worthy of emulation.

Always a devoted husband and father, he now says that he feels he should retire from public life so that he may devote even more time to the well-being of his wife and children. I can understand his decision, and wish him the best that life has to offer.

Any other words of praise that I might have for him still could not do justice to the man himself. For in truth, he is an able and trustworthy servant of his district and his fine State and he has served his country well.

Mr. HELSTOSKI. Mr. Speaker, next January when the House reconvenes for the 91st Congress, this body will sorely miss the presence of one of its most respected Members. I refer to our esteemed colleague, HORACE KORNEGAY.

I am delighted to have this opportunity in paying just and deserved tribute to HORACE ROBINSON KORNEGAY who has elected to retire to private life at the close of the 90th Congress. While I understand and fully sympathize with his desire to spend more time at home with his family and neighbors after representing the Sixth North Carolina District for four terms, I know that this does not mean complete retirement from the public scene.

There can be no doubt that Congressman KORNEGAY will be called upon to share his wisdom in public affairs, and as is characteristic of him, he will respond cheerfully to the needs of his fellow citizens.

He has served his country and the State of North Carolina with honor and distinction. His services will be missed by this body, particularly by the Veterans' Affairs Committee upon which we both serve. His work on this committee was invaluable and his dedication to the work in the House has produced a record of which he should be very proud.

As a Member of the North Carolina delegation, HORACE R. KORNEGAY will be sorely missed, not only as an able and effective legislator, but as a good friend.

I join with my colleagues in wishing him good luck and happiness in his retirement. And, as I bid him farewell from this body, I feel sure that whatever he undertakes to do in the future, it will be met with success. I am certain he will remember with justifiable pride his accomplishments while a Member of this honorable body—we certainly will not forget them and his deep and warm friendship.

Mr. DULSKI. Mr. Speaker, it is a great pleasure and honor for me to join today in this tribute to our colleague and friend, Congressman HORACE R. KORNEGAY of the Sixth District of North Carolina.

HORACE KORNEGAY joined me on the Committee on Veterans' Affairs when he first became a Member of this House and he has been an exemplary member of that committee.

He can be proud—as can his constituents—of his achievements in the difficult areas of compensation, pensions, and insurance for our veterans. It is really a fine record indeed.

HORACE KORNEGAY was most helpful to me in a matter involving our servicemen—mail service—which came before the Committee on Post Office and Civil Service.

Although he is not a member of the Post Office and Civil Service Committee, he was of great assistance to me in my legislation to improve the mail service to our veterans in combat areas.

As an honored combat veteran of World War II, he made good use of his personal understanding of the needs of our men on duty in foreign lands.

He also has served in outstanding fashion throughout his House service as a member of the Committee on Interstate and Foreign Commerce.

I have had the pleasure of meeting and knowing his lovely wife and family, and I know we all are going to miss the entire Kornegay family as they leave us. I extend my best wishes to my friend and colleague, HORACE KORNEGAY, for a job well done, of which his country and his constituency—as well as he—can be very proud.

Mr. KUPFERMAN. Mr. Speaker, I am very happy to join my colleagues and pleased that Congressman FOUNTAIN has been so thoughtful as to arrange this opportunity to salute HORACE KORNEGAY.

In the short time that I have been a Member of the House, having come after the commencement of the second session of the 89th Congress, I have come to know HORACE KORNEGAY better than most other Members of the House for one specific reason. That reason is that alphabetically his name precedes mine. And so for 2½ years now on every quorum call and every vote on every piece of legislation, I have listened for his name in order to be prepared to have my presence in the House acknowledged or in order to express my opinion.

More often than not, I could rely on HORACE'S vote to cue me in to voting the opposite, because in his conscientious consideration of the issues, he came to a conclusion different than mine. But although we are members of different parties and from different sections of the country and have different political philosophies, I know of no finer gentleman in this great body.

Some wit has even suggested that his determination to retire led to my similar conclusion shortly thereafter. I certainly respect his decision to retire to private life, secure in the knowledge that his participation in the work of the Congress has been a memorable one and that he has a firm place in the affections of his colleagues.

Mr. NICHOLS. Mr. Speaker, I join with my colleagues today in paying tribute to a fine man and respected Member of this House, HORACE R. KORNEGAY.

While it has not been my privilege to know Mr. KORNEGAY for any great length of time, I feel fortunate in having known him during this 90th Congress. As a freshman Congressman, I have been impressed with Congressman KORNEGAY'S devotion to his duties as the representative of North Carolina's Sixth Congressional District. It has been my observation that his 8 years in Congress have been marked with unquestioned integrity and with untiring loyalty to the people of North Carolina.

I am happy to extend to my good friend and respected colleague, HORACE KORNEGAY, my best wishes for his success and happiness as he leaves the demands and burdens of public office to take up what I am sure will be a pleasant occupation for him and a welcome experience for his family.

Mr. BENNETT. Mr. Speaker, all of us in Congress will greatly miss our beloved colleague, HORACE KORNEGAY, when he does not return next year. He has ably carved for himself a place of leadership here; and he leaves behind him an outstanding record of solid achievement for his district, State, and Nation.

All of us in Congress can understand his reasons for returning to private life: procuring in this way a more adequate possibility of sharing adequate time with his fine and beloved family. Few people realize the difficulty which faces a Congressman in fulfilling his normal family obligations. We in Congress do understand this; and so, in paying tribute to him for this great works here and expressing sadness that he is leaving here, we nevertheless understand his decision

and pay him tribute for this even though we are personally unhappy that he is leaving us.

Mr. GOODLING. Mr. Speaker, I am deeply saddened by the realization that my good friend and colleague, HORACE KORNEGAY, is going to retire from Congress with the close of the current congressional session.

During my service in the Congress, I have considered it a prime privilege and high honor to be associated with HORACE KORNEGAY, for I have found him to be friendly, able, dedicated, and a good public servant. He has a generosity of spirit that has pervaded both sides of the political aisles, and he is highly regarded by Members of both political parties here in the U.S. House of Representatives.

Mr. Speaker, Thomas Jefferson said: "When a man assumes a public trust, he should consider himself public property." Mr. KORNEGAY has lived that philosophy during his congressional service. He has conscientiously applied himself to his congressional duties, always striving to bridge the gap between public needs and public resources, and always endeavoring to serve his main client, the people.

It is quite obvious, then, that the people of the Sixth Congressional District of North Carolina have been fortunate in having HORACE KORNEGAY represent their interests in the U.S. House of Representatives. His voting record reflects a concern for every citizen in his district, from the oldest to the youngest, from the richest to the poorest. He has served his constituency with integrity, with imagination, and with great care. He has been a credit to his district, his State, and his Nation.

The loss of HORACE KORNEGAY'S service here in the House of Representatives can be softened by the realization that he will leave this body with a proud record of accomplishment. So, as he leaves this Chamber when the curtain falls on the 90th Congress, he will be greatly missed but affectionately remembered.

The loss of this House is the gain of the society into which my good friend HORACE enters. I wish him good luck, good health, and Godspeed.

Mr. JOHNSON of California. Mr. Speaker, it is with deep regret that I rise today to bid farewell not only to a colleague but to a friend, HORACE KORNEGAY.

HORACE was elected to the 87th Congress and he has served his State and his country in an admirable manner. He is to be commended for his outstanding work on the Committees on Interstate and Foreign Commerce and Veterans' Affairs.

When he was first elected to Congress I had only served one term, having been elected in the 87th Congress. Having lived in the same apartment building since we were elected to Congress, we became friends as well as colleagues, and it has been a pleasure and a privilege to have known and served with this dedicated public servant.

As he leaves the Hill I want to wish him much happiness and success in the future and to commend him for his outstanding contribution to his State and to his country. We will miss him.

Mrs. HANSEN of Washington. Mr. Speaker, it is with a great deal of pleasure that I would like to join my distinguished colleagues today in paying tribute and saying a regretful farewell to our very distinguished colleague, HORACE KORNEGAY of North Carolina.

Congressman KORNEGAY and I came into office at approximately the same time. We had the privilege of serving together for a short time on the Veterans' Affairs Committee, and then after I left the Committee for Education and Labor, we worked together on many programs for the veterans of the United States.

He has been a diligent, hard working, and able Representative of the State of North Carolina. It has been a privilege and a pleasure to serve with him.

I am sorry that he is retiring. However, I do wish him the very best for the future.

Mr. FINO. Mr. Speaker, it is always a sad occasion when a fellow Member retires, and I should like to join in paying a tribute to our esteemed colleague HORACE KORNEGAY.

For many years, I have served with the gentleman from North Carolina on the Veterans' Affairs Committee, where I have come to greatly depend on his counsel and expertise. His distinguished war record and his active membership in the American Legion, the Veterans of Foreign Wars and the AMVETS have enabled him to be an expert and effective speaker on behalf of the American veteran. We will miss his knowledge and humanity.

The gentleman from North Carolina has never been remiss in his duty to the people of his State and his Nation, and this House will miss his persuasive and articulate legislative skill and understanding.

I join with my colleagues in extending best wishes for the future to my good friend HORACE KORNEGAY.

Mr. MCCLORY. I am pleased to join in tribute today to my colleague HORACE KORNEGAY of Greensboro, N.C., who has elected to retire from the Congress after eight significant and brilliant years of service to the people of his district and of the Nation.

It has been my privilege to know Congressman KORNEGAY on a personal basis during the past 6 years and to recognize particularly the Christianly qualities which he possesses and high moral standards which he observes.

HORACE KORNEGAY has added stature to the U.S. Congress during his legislative service and has given encouragement and support to many others in their efforts to provide direction and leadership in our representative republic.

I am conscious of the personal considerations which have led HORACE KORNEGAY to his decision to retire from the U.S. Congress, and I respect those considerations.

I wish HORACE KORNEGAY and his lovely wife the comfort and privacy to which they are entitled and that they—together with their three children—may have many enjoyable and productive years of family life and of continued service in their church, in their community, and in the Nation.

Mr. DICKINSON. Mr. Speaker, I take this opportunity to pay tribute to a truly proficient and industrious Representative from the great State of North Carolina, my friend HORACE KORNEGAY, on the eve of his retirement.

Congressman KORNEGAY has announced his retirement for the finest of reasons: to devote more of his time to his family in Greensboro. If more men were of his bent, that of loving father, our job here in Congress would be lightened considerably, because fine fathers beget fine children who lead industrious, useful lives. If Representative KORNEGAY'S children emulate the ability and devotion that their father has shown as a member of the Interstate and Foreign Commerce and Veterans' Affairs Committees, I feel sure they can look ahead to bright futures.

I am equally sure that my colleague Mr. KORNEGAY will make just as impressive a record for himself in private life as he has during his 8 years in Congress.

I think if I had to sum up in one word Representative KORNEGAY'S tenure in Congress, that word would have to be sincerity. I have never known him to be anything but a conscientious legislator whose guiding purposes have been the betterment of the American way of life and the preservation of our system of democratic government.

North Carolina can be proud of her son, HORACE KORNEGAY, not only as a Representative, but also as a decorated war hero of World War II, and as district solicitor from the State's 12th District.

Of special note, I think, is Representative KORNEGAY'S efforts on behalf of the veterans of this country. A great debt is owed these brave fighting men and Mr. KORNEGAY has been, in large part, responsible for seeing that the debt is paid. I am sure his efforts along this line will continue.

I look forward to learning of Representative KORNEGAY'S further contributions. He is still young, but more important, he is willing to shoulder the load of responsibility required to accomplish any task before him.

I wish him good luck. He has earned it.

Mr. EDMONDSON. Mr. Speaker, I want to join my old friend, Congressman FOUNTAIN in this well-deserved tribute to our able and distinguished colleague, HORACE KORNEGAY.

North Carolina has sent an outstanding delegation to this House for as long as I can remember, and HORACE KORNEGAY has been one of its most respected and most effective Members.

Congressman KORNEGAY has been a good friend, a wise counselor, and a conscientious and dedicated public servant. I hope he will return to public service in future years for the Nation needs men of his caliber.

Mr. MATSUNAGA. Mr. Speaker, I rise to join in today's tribute to our distinguished colleague and friend, HORACE R. KORNEGAY, whose retirement from Congress at the end of this session will close four eventful terms of service to his district, his State, and the Nation.

Congressman KORNEGAY, although still comparatively young in age, can look back with justifiable pride on an outstanding record of public service, one

that encompasses more than 20 of his 44 years—a record distinguished by his contributions to North Carolina as solicitor of the 12th District, and to the Nation as a notable participant in two major campaigns in the European Theater during World War II.

Our colleague has represented the great State of North Carolina with diligence and dignity. As a member of the Interstate and Foreign Commerce Committee, Congressman KORNEGAY has been a genuine leader in obtaining passage of legislation to improve the operation of the Nation's transportation, communications, and power systems. The conspicuous efforts which he has exerted in the field of educational television should be heartily applauded by all Americans who are deeply concerned over violence in television programing. His service on another major committee, the House Committee on Veterans' Affairs, has been noteworthy, and he has been cited by every major veterans organization for his work in behalf of veterans and their families.

It is with considerable regret that I join with my colleagues as we bid farewell to HORACE KORNEGAY. We know that the decision to return to Greensboro and private life was difficult for him to reach, and we salute him for his courage in following the dictates of his conscience. I personally extend to him and his family my warmest aloha and very best wishes for success and happiness in all of their future undertakings.

Mr. HALPERN. Mr. Speaker, a dedicated and very able Representative will be completing his fourth term and retiring from Congress this year. I believe all of my colleagues in the House will join me in enthusiastically honoring HORACE R. KORNEGAY of North Carolina for his unstinting and devoted service to his constituents and his country.

Decorated many times for combat bravery as an infantryman in World World II, Representative KORNEGAY came to Congress from a distinguished legal career, both in private practice and as prosecuting attorney for North Carolina's 12th District. He is a member of the American Legion and an honorary member of the British Legion, and of numerous professional and fraternal organizations. He has made outstanding contributions to both the Veterans' Affairs Committee, on which we serve together, and the Interstate and Foreign Commerce Committee.

All of us who have had the privilege and pleasure of working with Congressman KORNEGAY are extremely sorry to see him leave. His loyalty and helpfulness to the other members of the North Carolina delegation, his unfailing courtesy to all his constituents and to his colleagues in the House, and the great capability, patriotism, and dedication to duty with which he has entered into congressional affairs will be sorely missed.

We hope that Representative KORNEGAY will return to the Congress some time in the future, for his contribution to it has been in the finest tradition of dedicated service.

Mr. SELDEN. Mr. Speaker, this has indeed been a year of surprises on the American political scene. However, one of the saddest was the announcement by Representative HORACE KORNEGAY that he is retiring from public life at the age of 43.

No one can understand better his reasons for departure from the Congress than we who are Members of this body. And, although we are pleased that he is shedding the rigors, the demands, and the burdens of public service to have an opportunity to enjoy private life and his family, we know that the North Carolina Piedmont, the Congress, and the Nation will be poorer for the loss of so articulate and dedicated a spokesman.

We can ill afford to lose men like HORACE KORNEGAY in our Government—men who have a keen understanding of the complex society in which we live today.

The Members of this Chamber shall miss his wise counsel, his gift for probing straight to the heart of complexities, his zeal and dedication to the interests of his State and Nation.

When HORACE KORNEGAY first came to Congress in 1960, we were neighbors in the Cannon House Office Building. Since that time, I have come to know the gentleman from Greensboro as an articulate and dedicated legislator and as a close and valued personal friend. I personally shall miss his gentle manner, his wealth of ideas and knowledge, his honesty, his tireless work, and dedication to his constituents and to his country.

To HORACE KORNEGAY, I say congratulations on a job well done—on serving his State and Nation and serving them well in this critical decade of the sixties.

We in this Chamber today salute our colleague, HORACE KORNEGAY, and we wish him success and happiness when he leaves the Congress at the conclusion of this session.

Mr. FRIEDEL. Mr. Speaker, it is no easy decision for a man in the prime of his life to leave a successful political career in favor of the less important, though less confining, pursuits of private life. Yet that is what one of our most esteemed colleagues—the distinguished Representative of the Sixth District of the great State of North Carolina, has done when he announced that we will not seek a fifth term.

At the beginning of his tenure with the House in the 87th Congress, Representative HORACE R. KORNEGAY was assigned to the Interstate and Foreign Commerce Committee of which I also have the honor of being a member. It was during the public hearings of that important committee and, during its deliberations that the brilliance of his legally trained mind immediately made us realize his great value to the committee. He is an expert of the textile and tobacco industries and became one of their more articulate spokesmen, not only during committee proceedings, but on the floor of the House as well.

Because of our close association we soon became very good friends for he is the kind of man one gets to know easily and to sincerely like. His voting record reflects his conscientious attempt to represent the desires of his district and State as he understands them. Perhaps it is his conscientious approach which has been the hallmark of DAG KORNEGAY'S public career of more than 20 years of dedicated service as a soldier, a prosecuting attorney, and a Congressman. He merits full well his public image as a very hard worker on Capitol Hill.

A devout churchman, a devoted family man, and a dedicated civic leader, he contributed freely of his time, talent, and energy on behalf of his community, State, and Nation. His patriotism earned for him the Purple Heart, the Bronze Star, and the Combat Infantryman's Badge during World War II.

When the next Congress convenes in 1969, it will be deprived of Representative KORNEGAY'S wisdom and active participation in legislative matters. We shall miss him very much. Despite his absence from this body, we do know that he will continue his active interest, not only in his profession of law, but in public affairs as well. As a man of his ability will, I am sure, be very soon called to serve his State and Nation in some other important capacity. We all wish him the best of health, success, and happiness in the years ahead.

Mr. GALLAGHER. Mr. Speaker, I would like to take this opportunity to join with my colleagues in this expression of farewell and appreciation to the distinguished gentleman from North Carolina, HORACE KORNEGAY.

Mr. KORNEGAY has served in this body with great distinction for 8 years. During his term of service, he has earned the respect and esteem of all Members for his hard work and great legislative talents. He ably represented the Sixth District of North Carolina and served with distinction on the Interstate and Foreign Commerce Committee as well as the Committee on Veterans' Affairs. For 8 years this House has greatly benefited from his knowledgeable counsel.

HORACE KORNEGAY is my personal friend and I shall miss him, but, even more, HORACE KORNEGAY is a man of integrity and decency who served his country in an outstanding manner in these troublesome times in which we live. This Congress shall miss him, but the high standards and example he set for others to follow will be his legacy to his Nation. I join my colleagues in wishing him continued success and happiness with the hope that God will grant him long life to enjoy his blessings.

Mr. ULLMAN. Mr. Speaker, it is a pleasure to join in tribute to our retiring colleague, the distinguished gentleman from North Carolina, HORACE KORNEGAY. It has been a real honor to serve with him in the House of Representatives. His work on the Interstate and Foreign Commerce Committee and the Committee on Veterans' Affairs has been outstanding, and I know the members of those committees will miss his wise and able leadership, just as we shall miss him on the floor of the House. I wish our colleague great joy and contentment in his retirement.

Mr. HERLONG. Mr. Speaker, I want to associate myself with those who have paid tribute to HORACE KORNEGAY, who will retire from this body at the end of his present term.

The man from Kornegay Cross Roads, N.C., has endeared himself to the Members of this body as few Members have. His place will be hard to fill. We are los-

ing an able and indefatigable legislator, conscientious in his devotion to the interests of the people of North Carolina's Sixth Congressional District, the people of all North Carolina, and the country as a whole.

I am sure he will continue to serve them when he leaves the House of Representatives. He is the kind of man to whom public service is a privilege and a pleasure. I cherish him as a friend, and wish him well in all his endeavors when he leaves here.

Mr. SPRINGER. Mr. Speaker, I have been a Member of this House for 18 years. HORACE KORNEGAY has been a Member of this body a good portion of this time and a member of the Interstate and Foreign Commerce Committee of which I am also a member and the ranking Republican.

HORACE is the kind of a fellow who has that rare knack of being able to lead and to influence people with his arguments. It was with regret that I learned HORACE would not be a Member of this body in the next Congress but had chosen to retire voluntarily. In all of his work in our committee, HORACE KORNEGAY was never imbued with the thought that North Carolina was the only State in the Union that would be affected by legislation. He had broad perspective of the national interest and it was toward this goal that he worked.

HORACE is still a young man and I would expect that he would be heard of in North Carolina politics for a good many years ahead. He is of the stature of a man who might some day be Governor or U.S. Senator.

Champ Clark, one of the great Speakers of the House, in the early days of this century, said that a Congressman has to learn to be a Congressman just as boys have to learn to be a mechanic, a plumber, a farmer, a doctor, a lawyer, or a minister. It was his thought that it was through years of accumulating experience that a man finally matured to be a great Congressman. It was this kind of experience through which HORACE KORNEGAY went to become one of the fine legislators in this body.

I know that every Member of this House wishes HORACE KORNEGAY the very best of luck and good will as he retires. We expect to see him from time to time here on the floor of the House as he returns to visit the many friends he has made through the years.

Mr. DANIELS. Mr. Speaker, I would like to join with all of those fine Tarheels and others in this House who are good friends of Congressman HORACE KORNEGAY who have taken the floor to wish him well in the years that lie ahead. I know that the fact that he will not be with us in January is a great loss not only to North Carolinians but to all Americans.

While still a very young man, he can look back upon 20 years of distinguished service to his State and to the Nation. He represents the very best of that generation of Americans who began their public careers after serving with the Armed Forces of the United States during World War II.

Mr. Speaker, HORACE KORNEGAY has served the people of Greensboro and all of the citizens of the Sixth District of North Carolina with great distinction and his contributions to the legislative process as a member of the great Committees on Interstate and Foreign Commerce and Veterans' Affairs have been many and numerous. He has been a good legislator and an effective spokesman for the people of North Carolina. But even more, he has been a warm, friendly, decent sort of person and one who will be missed by his army of friends on both sides of the aisle.

Mr. Speaker, I have no idea who the Representative from the Sixth District will be in January, but be he Democrat or Republican, liberal or conservative, he will have a difficult time in attempting to fill HORACE's shoes.

Mr. Speaker, I know I speak for all of us from the State of New Jersey when I express my sincerest good wishes to HORACE and his lovely family. I hope that his future and theirs will be full of happiness. Good luck, old friend.

Mr. ROONEY of New York. Mr. Speaker, I join my colleagues here today in wishing well to the distinguished gentleman from North Carolina, the Honorable HORACE R. KORNEGAY, who is retiring at the end of this 90th Congress. For 8 years HORACE has ably represented the people of North Carolina's Sixth Congressional District, and has served with distinction on the Interstate and Foreign Commerce and Veterans' Affairs Committees of the House of Representatives. His service on the latter committee was particularly appropriate in view of his fine war record. Mr. Speaker, HORACE KORNEGAY has been a credit to this body, an able successor to my friend and former colleague, the Honorable Carl T. Durham, and a credit to the people who have sent him here. We shall miss him, but we wish him continued success and long life.

Mr. OTTINGER. Mr. Speaker, I am pleased to join with our colleagues in paying tribute this afternoon to an able and dedicated legislator and a good friend.

I have been privileged to serve with HORACE KORNEGAY on the Interstate and Foreign Commerce Committee for 2 years and in the House for 4. I have been most impressed with his devotion to duty and his depth of understanding and knowledge. His efforts to improve the operation of our country's communications, transportation and power systems are well known and his work in the field of educational television is particularly noteworthy.

Perhaps his most outstanding quality, however, is his attribute of humanity. There are few Members of the House who enjoy such universal respect and affection among colleagues from all areas of the country and all political ideologies. HORACE is a gentleman to his toes. He is one of the fairest and finest Members of the House.

We shall all miss HORACE but I know he is anxious to return to Greensboro and pursue a private career, after more than 20 years of outstanding public service to his State and Nation. I wish him all success and good fortune in his future endeavors and hope he will have occasion to visit us frequently.

Mr. FUQUA. Mr. Speaker, the very size of the House of Representatives makes it impossible to get to know each Member as well as one would like to do. There are naturally those individuals whose friendship you acquire and this friendship continues to grow.

Such a man for me has been HORACE KORNEGAY, of North Carolina.

He is now completing 8 years of brilliant service to the people of North Carolina and to this Nation. As a member of the Interstate and Foreign Commerce Committee and the Committee on Veterans' Affairs, he has shown himself to be capable and conscientious—a hard worker who gets things done.

He decided sometime ago that he would not seek reelection, but rather would return to his great State to resume the practice of law. I can well understand his desire to be able to spend more time with his family and to practice the profession in which he is so able, but those of us who consider him a warm personal friend will sincerely miss him.

The people of this district have shown great wisdom in naming him to four terms in the House and they have reason to be proud of the service he has rendered—the capable manner in which he has served them as well as the Nation.

I am confident they would have returned him to the Congress had he determined to seek reelection. This is by no means the end of his distinguished public service, for HORACE KORNEGAY is the type of man who will be serving others whether in public or private life.

It is simply that those of us who consider him as a warm personal friend will miss having the privilege of his counsel and presence in our membership.

Mr. BROWN of Ohio. Mr. Speaker, I am pleased and honored to be able to share these few moments in paying tribute to a fine man, an able Congressman, and and outstanding citizen of North Carolina and of these United States.

More than that, I consider it a privilege to honor a man who is a dedicated husband and father. Our friend and colleague has offered the most impressive reason imaginable for not wishing to return to the House. It is a tribute to them, too, that HORACE KORNEGAY, a man in the prime of his political life and who has already made significant marks on the Congress, should choose to devote more attention and time to his family.

This job is a demanding one in hours, energy, emotion, and effort. But perhaps the most difficult sacrifice for a man who loves his family is the intrusions on family life which are made by the requirements of a public career. Children grow up too quickly and are gone, and the time when they can be enjoyed slips past when other things are more vital.

Our friend will be missed. His absence will have a notable impact on those of us who have served with him on the Interstate and Foreign Commerce Committee. For his experience and his knowledge have carried us through some thorny legislative considerations and problems.

I have valued his expert and well-formed opinions as I know they will be valued by those who seek his legal counsel in Greensboro.

Mr. STAGGERS. Mr. Speaker, it seems

improbable that Shakespeare could have looked through the veil of the future and envisioned our HORACE KORNEGAY as we know him. Yet it is a fact that he is credited with penning this tribute:

He was a scholar, and a ripe and good one;
Exceeding wise, fair-spoken, and persuading;
Lofty and sour to those that loved him not,
But to those men that sought him sweet as summer.

You can always find HORACE KORNEGAY voting for the public interest and the welfare of the public—he is a statesman in every sense of the word. He is everything that is useful and efficient, and desirable to have around where work is to be done, and I have said so on this floor several times previously.

So I will only add that he is an ornament to the proud old State of North Carolina, a true patriot, an honest and conscientious servant of the public weal, and a dependable and highly efficient Member of this august assembly through 8 long and troubled years. And do not forget that his merit is as pronounced in war as it has been in peace.

As he goes down the long avenue of the years ahead of him, we join in hoping that the way will be lighted for him by honor, the love and confidence of his associates, and that sense of achievement which can be earned only by unselfish and devoted service.

Mr. FISHER. Mr. Speaker, one of the most honored and respected Members of this body—HORACE KORNEGAY—is retiring voluntarily from this body at the end of his present term. It is most unfortunate for the country that HORACE is leaving here. During the time he has served in the House of Representatives, the gentleman from North Carolina [Mr. KORNEGAY] has established an enviable reputation for sound judgment and courageous action. In the performance of his duties he never looks back. His motivation is always in accordance with what is best for the country.

Again, I regret to see HORACE leave this body. But since that is his decision I join with his host of friends in extending best wishes for the future. As a practicing attorney in his home down in Greensboro he will undoubtedly enjoy the fruits of success, and will there—as he has here—command the respect and admiration of all with whom he deals.

Mr. MORSE of Massachusetts. Mr. Speaker, it is with mixed emotions that I rise today to pay tribute to our good friend and respected colleague, HORACE R. KORNEGAY.

Mr. KORNEGAY and I were sworn in to the Congress of the United States on the same day in 1961, and I have had a warm friendship and high respect for him in the ensuing years.

He has served his district well, he has served his State well, he has served his country well, and the Congress of the United States will be the poorer for his absence.

It is with affection and sadness that I wish him well in the years ahead and thank him for the fellowship that he has given us all in the years that we have privileged to serve with him.

Mr. O'HARA of Illinois. Mr. Speaker, in his 8 years in this body HORACE KORNEGAY has made an outstanding record. Nowhere else in all the world are there so many able, eloquent and powerful public speakers as in the House of Representatives of the Congress of the United States. When recently I rose to compliment the gentleman from North Carolina on the delivery of one of the best speeches I had heard in 18 years in the Congress. I expressed my appraisement of his legislative ability and effectiveness.

I might add that North Carolina holds a high place among the States of the Union in the renown of her Representatives in the Congress. Another of the great sons of North Carolina, Mr. FOUNTAIN, serves on the Committee on Foreign Affairs, of which I am a member, and I have always included him among the 10 or 20 ablest numbers of the House in my esteem. I was not surprised to learn today that these two really great statesmen, FOUNTAIN and KORNEGAY, are related by marriage.

Mr. ADAMS. Mr. Speaker, during the period of my service on the House Interstate and Foreign Commerce Committee, it has been a pleasure to work with Representative HORACE KORNEGAY. One of HORACE's great charms is his ability to disagree with you in such a pleasant and amicable fashion that eventual compromise of a position is possible.

I think it is noteworthy that a man who has had such a distinguished career of public service and who could look forward to many more years of increasing prestige in the House of Representatives would place the happiness and importance of raising his family first. As HORACE once said to me:

These next few years are very important for my children, and I feel I have been gone too much for too many years.

I hope that all of us when we reach this point in our family lives will use the care and consideration that HORACE has so obviously manifested for his family.

We will miss his friendly voice in the coming years, and we all wish him well in private life.

Mr. BURLESON. Mr. Speaker, it is with regret I join my other colleagues in an expression of farewell and appreciation to HORACE KORNEGAY, who is retiring from Congress at the end of this session.

It is understandable that, with a young family, HORACE wishes to return to his home in North Carolina. I wish him every success. At the same time, his able leadership, his great dedication and his abilities will be sorely missed in the House of Representatives. He will not be forgotten and his friends and colleagues here in the House will long remember his outstanding personality and qualities of leadership. The country, his State, and his congressional district will feel this loss.

Personally, his friendship has meant a great deal to me. I have never served with a man who was always the "gentleman" as HORACE KORNEGAY is.

Mr. GRIFFIN. Mr. Speaker, at the end of this Congress, my good friend and able colleague, HORACE KORNEGAY, will retire from Congress and return to his family in North Carolina. In so doing, Mr. KORNEGAY will be leaving a career in the House distinguished by devotion to duty and fully in keeping with the highest traditions of service to the great State of North Carolina.

As an effective and capable member of the House Committee on Interstate and Foreign Commerce and the Committee on Veterans' Affairs, HORACE KORNEGAY is known as a man of wise counsel and as one who can be depended upon for the expression of intelligent thoughts.

HORACE KORNEGAY retires because his congressional duties conflict with his need to spend time with his family. I respect his decision, Mr. Speaker, for I know that it is characteristic of HORACE KORNEGAY to make selfless decisions. His absence will be keenly felt, and I wish for him and his family the very best in his new life.

Mr. UDALL. Mr. Speaker, I came to Congress in the same year as my good friend, HORACE KORNEGAY. I have had the great privilege of associating with him, learning to know him and his family, and observing the most effective way in which he has represented his great State.

One of our colleagues once said in the cloakroom that too often those Members who ought to retire do not and those who ought not to retire do. While I do not necessarily adopt this philosophy, I can say that HORACE KORNEGAY is the kind of Member this country can ill afford to lose. His friendly manner, his reasonable and dedicated approach to our country's problems, and his unusual intelligence are qualities that are needed in the House. Yet one cannot help but admire a man who places loyalty to and love for his family above his own ambitions.

I wish my friend, HORACE KORNEGAY, the greatest of happiness and success in his future life in his beloved North Carolina. America and the Congress are better places because of his service here.

Mr. WHALLEY. Mr. Speaker, I wish to join my colleagues in honoring Congressman HORACE KORNEGAY, who is voluntarily retiring from the House this year.

Mr. KORNEGAY has distinguished himself on both sides of the aisle as a man of integrity, courage, and ability. He has gained my utmost respect, admiration, and personal friendship.

We commend HORACE KORNEGAY for his decision to return home to enjoy the blessings of his wonderful family. I think we can all agree that one of the penalties of being in public life is one cannot spend the time he would like with the family he loves, friends, or relatives.

For the past 8 years, Congressman KORNEGAY has been a prominent member of the House Veterans' Affairs Committee, and he deserves a lot of credit for the hard work he has devoted in behalf of the deserving veterans of our Nation.

During the years I have been in Congress, it has been a privilege and an honor to serve in the House with such a distinguished gentleman.

I am especially pleased to have this opportunity to express my best wishes and warm personal regards to HORACE KORNEGAY.

Mr. ROGERS of Florida. Mr. Speaker, I certainly wish to join with my fellow colleagues in expressing my sincere regrets at HORACE KORNEGAY's decision

not to run for reelection to the House of Representatives.

In the past 8 years I have come to know and to respect HORACE. As a fellow member of the House Interstate and Foreign Commerce Committee, I have watched him develop into one of the leaders on the committee, and indeed in the Congress.

His dedication to the Nation and particularly to his home district have never been compromised or questioned. The Nation and the people of his Sixth Congressional District will miss the service which he has given them.

I have read many accounts in the leading papers of North Carolina concerning HORACE'S decision to retire. And in each account, the point is made that there was no question that if he had decided to again run for office, the people would have seen to it that he was returned.

His decision to retire was based on his desire to spend more time with his family also reflects on the character of this man which we honor.

And although he will not return with us next year, I know that this does not mean that his devotion to country and State will lessen.

My wife, Becky, and I wish HORACE and his wonderful wife, Annie Ben, and their three children all the best in the coming years.

Mr. ASHMORE. Mr. Speaker, I would like to add my regrets to those of my colleagues upon the voluntary retirement of the distinguished gentleman from North Carolina, HORACE KORNEGAY.

This fellow prosecuting attorney has indeed been a friend. There is generally a close affinity among prosecutors and I have always experienced this deep and amicable feeling toward HORACE. But he is not only an able, skillful, honorable lawyer, he has also proven himself to be a devoted and dedicated legislator during his 8 years as a Member of Congress.

In the Congress HORACE KORNEGAY is known chiefly for his statesmanship. He is a man of courage whose stand for good Government will long be remembered by those of us who have worked with him and by his constituency whom he has served so well.

I extend my sincere best wishes to him and his lovely family as he returns to his great State of North Carolina to resume the practice of law.

GENERAL LEAVE TO EXTEND REMARKS

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks.

The SPEAKER pro tempore (Mr. PEPPER). Without objection, it is so ordered.

There was no objection.

THE FRUSTRATING TASK OF TRYING TO EDUCATE THE "DISADVANTAGED"

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. GUBSER] is recognized for 30 minutes.

Mr. GUBSER. Mr. Speaker, Mr. Roger A. Freeman is a senior staff member at the Hoover Institution on War, Revolution, and Peace at Stanford University in my congressional district. Mr. Freeman has written several books on the economics of education, and has testified before congressional committees on numerous occasions regarding Federal aid to education.

Recently the Wall Street Journal, in its July 8 issue, thought enough of a paper written by Mr. Freeman, entitled "The Frustrating Task of Trying To Educate the 'Disadvantaged,'" to publish the paper almost in full. In addition, the Wall Street Journal editorialized concerning the paper.

Thinking the views of Mr. Freeman will be interesting and valuable to readers of the CONGRESSIONAL RECORD, I believe it will be useful for me to introduce into the RECORD a copy of the Wall Street Journal editorial, which follows:

[From the Wall Street Journal, July 8, 1968]

ON COMPENSATORY EDUCATION

Few portents are more gloomy than the general failure of compensatory education in the slums, documented elsewhere on this page by Roger A. Freeman. No one should leap to the conclusion, though, that the data necessarily mean the nation should abandon compensatory efforts in the schools as an attack on the intertwined problems of race and slums.

The pessimistic record Mr. Freeman recounts, for example, is also being eagerly seized by those promoting alternate schemes for Negro uplift such as school integration by busing, family allowances and the guaranteed annual income. They do not deny that compensatory education is a particularly appropriate area for public investment, because its success would help not only slum children but society in general. But they say schooling has had its chance and failed, so the time has come for their alternatives.

Unlike the competing alternatives and whatever the deficiencies of compensatory programs so far, educational advancement is a historically validated path for social and economic improvement. Indeed, it is probably working for Negroes even with the present schools. In 1966, some 54% of non-white youngsters completed high school, up from only 36% as recently as 1960. In terms of school years completed, the nonwhite median among young adults lagged only a half year behind the white median, down from a gap of two full years in 1960.

While this trend is hopeful, the slum school problem is of course still formidable, and is reflected in racial statistics because so many slum youngsters are Negroes. In grade 12 the typical nonwhite lags up to three years behind the typical white in achievement tests scores for reading. Compensatory efforts have failed to narrow that gap in any measurable way.

The proper goal for any educational system, as Mr. Freeman aptly puts it, is to offer all children an education "up to the limit of their ability." We very much doubt that current American educational methods satisfy that goal either in the slums or out. The lack of success with compensatory education means that we have not yet found an efficient way to let slum schools push students nearer their maximum potential.

The failure to find new ways is not especially surprising, since the U.S. public schools are in general bogged down in a morass of bureaucracy and outmoded educational ideology. Under these circumstances, failure to find a way does not automatically prove that none exists.

James S. Coleman, chief author of the Office of Education report, detailing the unhappy history of typical compensatory programs, seems to have reached somewhat similar conclusions. Despite the disappointing data he collected on past programs, he now advocates expanded compensatory efforts in slum schools. He also offers some intriguing ideas on how such efforts might be made effective.

Details of Professor Coleman's proposals can be found in the fall 1967 issue of the Public Interest magazine. Briefly, they involve having schools contract out some teaching of reading and arithmetic. Contractors would be judged and paid on the direct basis of achievement test results, which obviously would encourage the development of more successful methods. The idea, Professor Coleman summarizes, is to "separate the custodial functions of the schools from the teaching functions, and allow performance standards for the latter."

A full-scale reform of the American educational establishment is implicit in this proposal. It would require sweeping away most artificial licensing requirements, for one thing, and would facilitate challenges to ideological pets like "look-say" reading methods. All of this is eminently desirable in its own right. Similarly, reforms proposed by Mr. Freeman, such as better vocational education, would be desirable even if the race-slum problem were to vanish overnight.

The heart of the slum school problem, however, is simply reading and arithmetic. Significant improvements in teaching those basic subjects to slum children would have profoundly beneficial effects on the American social order. The effects would easily be beneficial enough to justify Professor Coleman's proposal or some other equally fundamental reform.

Until some basic educational reforms have been tried, we find it premature to write off the goal of compensatory education. That present methods have not worked only emphasizes the need to find better ones.

Also, Mr. Speaker, I believe the entire text of Mr. Freeman's paper should be included in the CONGRESSIONAL RECORD. I submit it herewith, and commend it to the attention of the entire Congress.

THE FRUSTRATING TASK OF TRYING TO EDUCATE THE "DISADVANTAGED"

(By Roger A. Freeman)

"If the success of our efforts at facilitating the educational development of disadvantaged youngsters could be evaluated simply on the basis of the amount of enthusiasm and activity generated by those efforts, we could at once declare the majority of the programs successful." So stated Yeshiva University education professors Edmund W. Gordon and Doxy A. Wilkerson in their report *Compensatory Education for the Disadvantaged*, prepared for the College Entrance Examination Board and the Fund for Negro Students (1966).

It has long been known that education, income, and employment status are closely interrelated. If inadequate education is indeed the major cause of poverty, the solution to a vital problem seems clear: give more education to school children who lag significantly in essential skills and knowledge and, above all, give them a better education. That's what the American people have been trying to do on a massive scale for some years.

But ever since researchers and administrators began, under congressional mandate, objective tests to measure the basic skills of children participating in the new programs, they have found disconcertingly few signs of pupil progress. Are we again, as we have so often in the past, chasing the end of a rainbow? Or, to change the metaphor, are we just barking up the wrong tree? Is there no cure for our educational ills, or have we simply not hit upon the cure?

ARE WE STARVING EDUCATION?

Financial starvation of education has often been blamed for shortcomings in the quality of American education. But the record of school support by the American people is truly magnificent: While business and other private investment and personal consumption approximately tripled over the past 20 years, spending for all education multiplied nearly 8 times, to an estimated $52 billion in 1967/68, making education America's most ebullient growth industry. In the past four years Congress has passed 40 major education laws and boosted annual federal spending for education from $375 million ten years ago—and less than a billion as recently as 1963—to more than $4 billion in fiscal 1968.

Even so, of the $17.3 billion increase in public school revenues (from $12.2 billion in 1957/58 to $29.5 billion in 1967/68), only $1778 million, or about 10%, came from the national government. The rest was supplied by state and local governments.

In material terms the new funds have accomplished much: a rise of 142% in school revenues (twice the growth rate of national income), 47% in the number of teachers, 44% in the number of classrooms—and a simultaneous 29% rise in enrollment. What this means is there are now 2.5 fewer pupils per teacher than there were ten years ago (23.7 in 1967/68 vs. 26.2 in 1957/58) and 3.0 fewer pupils per classroom (25.7 vs. 28.7). Instructional staff salaries have risen an average of 62% vs. a 46% boost in the wages of persons in private employment.

CONGRESS ACTS TO EDUCATE THE "DISADANTAGED"

Somehow the tremendous increase in input does not seem to have produced a commensurate improvement in the quality of "output." In the mid-1960's a concerned Congress learned that millions of children, mostly from poor families, were lagging one or more years behind national norms in basic skills and knowledge, and that too many of them were dropping out before high school graduation and joining the ranks of the unemployed. One of every six or seven youngsters in the labor force was unemployed; among the nonwhite youth one in four was jobless.

Early in 1965 congressional committees held hearings on Administration proposals designed to cut the wide discrepancies in educational attainment by the infusion of federal money. The hearings fill eight volumes with 4426 printed pages on a bill to authorize $1.2 billion in federal funds. Four dollars of every five were to go into Title I for "educationally deprived children," to initiate programs called "compensatory" because they were intended to compensate children for the disadvantage of growing up in low-income families.

Among the 185 witnesses who testified before the Senate and House committees I was one of the few opponents to the plans. I told both committees that "Title I offers an ill-conceived program which, if enacted, would not even begin to solve the problems to which it professes to address itself." I said the program appeared to be an attempt to bury the problem under a great deal of money, and predicted that the problems would flourish with the help of the green nutrient and come back to haunt us.

But Congress was not receptive to suggested alternatives and under almost unprecedented pressure from the Administration, voted the bill into law. The President and the plan's sponsors called the 1965 act a "landmark," the most important breakthrough in American education in a hundred years, a forerunner of greater things to come.

WHAT HAS THE 1965 SCHOOL AID ACT PRODUCED?

Three years later, the Associated Press conducted a coast-to-coast survey of the programs' results, and reported on May 1, 1968, "Title I, the project on which $3 billion has been spent in the hope of answering the educational needs of deprived children, is not working out. On this point, critics and supporters alike are agreed." The AP quoted Rep. Roman Pucinski, D-Ill., chairman of the House general subcommittee on education and one of the bill's original sponsors: "It is a monumental flop, and the outbreak of recent riots speaks louder than anything I can say about the total collapse of the program." Assistant U.S. Commissioner of Education Joseph Fromkin commented, "We still have little evidence that the problem is being licked; in fact, we may even be falling behind." Alice M. Rivlin, assistant secretary for program analysis of the Department of Health, Education, and Welfare, admitted: "I think we have found the task is much tougher than we thought at the start. . . . When it began, we really didn't know how to go about it. We still don't, really, but we are trying to find out."

In the Winter 1966/67 issue of the *College Board Review* Prof. Edmund Gordon speculated: "We are probably failing because we have not yet found the right answers. For all their variety the programs have generally suffered from one fundamental difficulty: they are based on sentiment rather than on facts." Actually, the programs were designed and authorized in the face of overwhelming evidence that they could not produce what their sponsors promised. Such evidence continued to come in every new test report.

In its first report on Title I in 1967, the U.S. Office of Education cited laudatory comments of school officials—about three out of every four school districts now operating in the United States participated in the programs which employed almost 400,000 teachers and other professionals and involved 8.3 million children. But the report also contains a statistical table, probably overlooked by most readers, giving the results of "before and after" tests in 19 skills ranging from reading comprehension to arithmetic. On ten of these tests the educational lag of the participating children had, on the average, been slightly reduced; on the other nine tests the lag had actually increased. Overall, the measurable advance was negligible.

A special analysis of the Department of Health, Education, and Welfare in January 1968 found that poor children are not doing any better in school despite the injection of large funds by the 1965 Elementary and Secondary Education Act (*Saturday Review*, January 20, 1968). While it was agreed that the goals of achievement equality envisioned by the sponsors of the 1965 act could be fully realized only after several years, it seems reasonable to expect that within one to three years, with the large funds added and new methods introduced, a modest but significant improvement could be measured. But tests showed improvement occurred only in a few cases. By and large, the achievement lag of children from poor family backgrounds proved impervious to the new educational programs.

THE FAILURE OF COMPENSATORY EDUCATION PROJECTS

This should have come as no surprise to those who followed the results of earlier compensatory programs. In 1959 New York City, with the highest hopes, initiated its *Higher Horizons* (H.H.) project, which involved 100,000 children in 76 grade schools and high schools and was the most extensive undertaking of its type up to that time. H.H. was hailed as the one true solution to the problem of bringing "underprivileged" children up to the norm. It was copied by dozens of school systems from coast to coast and also served as a model for Title I of the 1965 federal school act.

However, in 1964, the NYC Board of Education ordered a report on program results and, yielding to heavy pressure, made it public with great reluctance in 1965. The report concluded that H.H. had produced virtually no measurable effect in terms of educational achievement. The investigators found "no significant differences between students in schools with the H.H. program and similarly situated students in schools without the program." When the failure of H.H. could no longer be denied, the Board of Education with great unhappiness closed it down.

After the curtain fell on H.H. a new and more generously endowed project called *More Effective Schools* (MES) was initiated in New York City. In 21 grade schools the class sizes were cut to between 12 and 20 and annual per-pupil costs boosted to $1263, about twice the cost for regular elementary schools in New York City.

Speaking in the Senate on December 15, 1967, Senator Joseph Tydings declared that "we now have clear evidence that intensive education, on a truly massive scale, can overcome many of the environmental barriers that place ghetto youngsters on an unequal education footing. The *More Effective Schools* program of New York City is now being recognized as a remarkable example of what can be done in slum schools—with small classes, special instruction services and striking teaching techniques—what can be done, in short, if the educational expenditures for ghetto schools are geared to the disproportionate needs of disadvantaged children."

But when the NYC Board of Education had an evaluation of the MES program prepared by the Center for Urban Education it received another shock. The report, dated September 1967, found "an atmosphere and climate characterized by enthusiasm, interest and hope and a belief among all levels of staff that they were in a setting in which they could function. Moreover, parents and community, too, have responded with interest and enthusiasm. . . ." Then it continued:

"Equally clear are the data which indicate that the MES program has made no significant difference in the functioning of children, whether this was measured by observers rating what the children did in class, and how they do it, or whether it was measured by the children's ability in mathematics or reading on standardized tests. The data of this evaluation show that children in classes in ME schools were not behaving differently than children in classes in the officially designated control schools or in classes in other special service schools. The achievement test data showed that the profiles of ME schools were no different than the profiles of these same schools before the program was instituted. Moreover, the academic year gains which previous evaluations had noted, were not maintained over the calendar year so that overall, in most grades in the old ME schools after three years of MES, the retardation below the urban norms used for reading was no better, and in some cases, worse."

Similar endeavors in Syracuse, St. Louis, Berkeley, Seattle, Philadelphia and dozens of other cities proved equally ineffective. David K. Cohen of the Joint Center for Urban Studies at Harvard-MIT summed it up at the Conference on Equal Education in Washington, November 16–18, 1967: compensatory programs in urban schools "have resulted in no substantial or lasting improvement in students' academic competence."

Large numbers of specially trained teachers, sharp reduction of class sizes, and large infusions of money—none of these factors made a tangible impact on the problem of low-level achievement. Even extension of school hours did not pay off; New York City's All-Day Neighborhood School program found "no significant difference in the achievement levels of the pupils among the 7,000 participating 'economically deprived children'."

If compensatory programs could raise children who lag in basic skills to significantly higher levels of educational attainment and enable them to succeed in better paid occupations, several billions of dollars annually would be a cheap price to pay. But there is

not a shred of evidence to date to lend support to the near-landslide acceptance which compensatory programs have found among wide sections of the American public. Yet the consistent failure of such programs to produce promised results has not restrained enthusiasts from recommending new multi-billion dollar appropriations of federal funds for the same purposes. A group of business and union leaders and public officials organized as the *Union Coalition* recommended in November 1967 "concentrated compensatory programs to equalize opportunities for achievement." David K. Cohen estimated the 10-year cost of an adequate program of compensatory education for the nation's disadvantaged children at $100 to $150 billion. This is roughly the equivalent of a national extension of New York's MES program. But what reason do we have to believe that MES will prove more effective nationally than it did in New York?

Project *Headstart*, which aims to help pre-school children from poor families to overcome their environmental handicaps and to equal middle-class children in learning readiness on entering school, was easily the most enthusiastically received of all war on poverty programs. Its emotional appeal is irresistible, and the project was until recently almost noncontroversial. Over 600,000 children have participated in *Headstart* in each of the past four years, at a cost which now runs in excess of $300 million annually.

Initial *Headstart* results were encouraging and, in some cases, suggested an average gain of 8 to 10 points on the I.Q. scale on verbal tests. But it soon became apparent that the gain was only temporary and disappeared entirely within a few months. Moreover, studies by Dr. Gerald Alpern, director of the Research Child Psychiatric Services at the Indiana University Medical School, Dr. Max Wolff of the New York Center for Urban Education, and others, found no lasting progress resulting from pre-school programs: after six to nine months no discernible difference remained in intelligence or achievement levels between children who had gone through *Headstart* or similar programs and control groups of children with a comparable background who had not.

The poor results of *Headstart* apparently did not cause its sponsors to have second thoughts about the program's effectiveness. Rather, they prevailed on Congress to extend *Headstart* upward to grade schools by the *Follow-Through* Program.

As new programs are tried and discontinued, there is more at stake than a few billion dollars in public funds. At the annual meeting of the American Sociological Association in August 1967 Robert A. Dentler of New York's Center for Urban Education propounded the thesis that "increasing federal aid to urban education contributes substantially to increasing metropolitan community conflict in a time when general conflict due to other sources is very great." He added that "a basic source of conflict is program failure" and that "conflicts over unsuccessful educational programming contribute directly to basic rifts between ethnic groups." Referring to projects *Headstart* and *Follow Through* he predicted that "soon, both programs will multiply disappointments in results, and adjuncts will be generated to extend the programs into the home, the hospital, and the local welfare agency."

SHOULD RACIAL INTEGRATION COME FIRST?

The U.S. Commission on Civil Rights surveyed compensatory education programs from coast to coast and found that "none of the programs appear to have raised significantly the achievement of participating pupils, as a group, within the period evaluated by the Commission" (*Racial Isolation in the Public Schools*, 1967).

The Commission also noted that compensatory programs tended to strengthen the trend toward a growing *de facto* racial segregation in the public schools which had been evident ever since *legal* segregation was outlawed by the Supreme Court in 1954. The Commission concluded that a significant and lasting improvement in the educational attainment of disadvantaged minority children could not be brought about without first achieving universal *de facto* integration. It advanced a plan for mixing white and black children in classrooms throughout the country as a first and essential step.

Opponents to the Civil Rights Commission's approach did not deny the evil nature of deliberate racial segregation or doubt that integration is a desirable end to be achieved as rapidly as possible. Their objections were more practical. Viewing the record of growing *de facto* segregation over the past 14 years in the District of Columbia and in many major cities, they questioned whether racial balance could be achieved in the schools with sufficient speed that its educational benefits would accrue to disadvantaged children already in the system.

Moreover, there is no evidence that racial mixing *per se*, whether by open enrollment, busing or any other plan, advances the measurable achievements of lagging children. The sad experience of P.S. 7 and P.S. 8 in Brooklyn stands as a warning: on the initiative and with the enthusiastic support of the parents, one prevailingly black and one prevailingly white school were paired and classes integrated. The over-all educational level dropped, the parents' enthusiasm turned into panic, and within one year there were two black schools where a white and a black one had been before.

It is unfortunate that the question of how to improve the educational level of lagging children has become so fraught with emotion and so politically sensitive. The fact is that *on the average* black children tend to be several months behind white children when they enter school, and the discrepancy widens as the children are promoted each year until at the beginning of the 12th grade the average black child lags from three to six years behind national norms.

To prove once and for all that such differences are largely the result of inferior schools attended by Negro children, the U.S. Office of Education sponsored in 1965/66 the most extensive study of the subject ever undertaken. Headed by James S. Coleman of Johns Hopkins University, it covered 4,000 schools with 600,000 children in grades 1 through 12. Some observers thought it was a waste of money to spend $1¼ million to prove what had long been common knowledge.

But to almost everybody's surprise the Coleman report showed that the differences in the physical and economic resources of schools attended by Negro children and by white children are not significant; the average number of pupils per teacher, teachers' qualifications in terms of the highest degree earned or years of experience, teachers' salaries, tenure or the age of the school building and other measurable input factors provide no explanation for the difference in learning achievements.

The Coleman report disproved the widely held assumption of a positive cost-quality (input-output) relationship in the schools. Coleman wrote: "The evidence revealed that within broad geographic regions, and for each racial and ethnic group, the physical and economic resources going into a school had very little relationship to the achievements coming out of it" (*The Public Interest*, Fall 1967). He concluded that "if it were otherwise, we could give simple prescriptions: increase teachers' salaries, lower classroom size, enlarge libraries, and so on. But the evidence does not allow such simple answers."

In terms of financial school support, New York City leads all large cities by at least 40% and is still forging ahead. But the average achievement levels are below the norm and steadily falling, with about one-third of the pupils a year or more behind. When questioned by a reporter in the fall of 1967, NYC's school superintendent conceded that last year's scores were "the worst ever." He added: "But a headline of that nature would set back our efforts and undermine what we are trying to accomplish" ("City Pupils Losing Ground in Reading and Arithmetic" by Leonard Buder, *The New York Times*, November 2, 1967).

DOES COMMUNITY CONTROL OF SCHOOLS PROVIDE AN ANSWER?

Parents whose children attend schools with low average achievement test scores increasingly hold boards of education, administrators, teachers, wrong curricula, and ineffective methods responsible for their children's educational failure. While not so long ago the neighborhood school principal was often accused of helping to perpetuate and strengthen racial segregation, more recently parental demands tend to favor transfer of school control in urban poverty areas to local communities, i.e., to the residents of the school's attendance district. The reasoning is that the parents, with their children's interest at heart, will then see to it that the schools provide a good education.

A plan for New York City, developed under the auspices of Ford Foundation President McGeorge Bundy, would transfer most authority over the operation of public schools from the citywide Board of Education to district agencies (between 30 and 60 district boards), half of whose members would be locally elected. Because of the proposal, school decentralization became one of the hottest items during the 1968 New York State legislative session. But a breakup of the citywide system was eventually deferred for at least a year when experiments with local control of schools in deprived neighborhoods failed to bring the hoped-for results.

To test community control of school operations the New York City Board of Education built a "dream school" (I.S. 201)—windowless, fully air-conditioned, costing $5 million, with a planned teacher-pupil ratio of 1:13.8. The school opened in September 1966 with much of the decision-making left to the parents of the attending children.

Eighteen months later, I.S. 201 was described as a "bedlam" by the *New York Times* (February 1, 1968) and called a "model mess" in an Associated Press report (February 27, 1968). Nor has the experience to date with the Ocean Hill-Brownsville demonstration unit of eight New York schools given much comfort to the advocates of parental control of schools in low-income neighborhoods. "The unit's schools are a failure by any known measurement," wrote Martin Mayer in an article captioned "Frustration is the Word for Ocean Hill" (*New York Times Magazine*, May 19, 1968).

To be sure, school control by locally elected boards is an established tradition in most parts of the United States. But whether it offers an answer to the educational problems of urban poverty areas is another question. That question probably cannot be adequately answered—certainly not to the satisfaction of parents who now blame the schools for their children's poor showing—until neighborhood boards are given a broader opportunity to prove that they can succeed where present methods fail.

ARE THE SCHOOLS RESPONSIBLE FOR THEIR PUPILS' FAILURE?

The case for holding the schools responsible for the educational deficiencies of their pupils holds much appeal and is in keeping with a general tendency in recent years to blame society and its institutions for whatever shortcomings are apparent in individuals. But spokesmen for this position find it hard to explain why achievement differences are far wider among the children in a given school than between the test score averages

of the various schools. If it were all the schools' fault, the impact of each school on its pupils ought to be uniform.

Class size—or the pupil-teacher ratio—is widely believed to be the most potent factor in determining the learning opportunity of children. But research evidence runs to the contrary: The *Encyclopedia of Educational Research* (1950 ed.) summarized over 200 research studies of class size and pupil achievement: "On the whole the statistical findings definitely favor large classes at every level of instruction except the kindergarten . . . the general trend of evidence places the burden of proof squarely upon the proponents of small classes." More recently, the Coleman report found that the pupil-teacher ratio "showed a consistent lack of relation to achievements among all groups under all conditions."

Christopher Jencks, reviewing the Coleman report (*The New Republic*, October 1, 1966) drew a significant conclusion from its findings: "Overall, the report makes a convincing though not definite case for the view that student achievement depends largely on forces over which today's schools exercise little control."

The (then) president of the American Association of School Administrators and San Francisco School Superintendent Harold Spears carried that thought further when in April 1967, in answering charges that the low average test scores of the pupils of certain schools ought to be blamed on those schools, he insisted that test results tend to correspond to student ability. In this he probably expressed the judgment of the majority of the educational profession.

The fact is that intelligence and achievement test scores are almost always closely correlated. Intelligence, like other human physical and mental characteristics, is distributed on a curve: about half of all testees score between 90 and 109 on I.Q. tests, one-fourth at 110 or above, and the remaining one-fourth below 90, ranging from dull-normal (80–89) to mentally defective (69 and under). If widely used I.Q. tests do not fairly measure a child's native intelligence, as many contend, the solution is to devise tests that do. It is no answer to the problem to abandon intelligence tests altogether, as some have advocated and some school systems have actually done.

If student ability is the crucial factor, then it appears futile to expect children of *low* intelligence to perform at *average* levels. The question is: what determines student ability?

THE HEREDITY-ENVIRONMENT UNCERTAINTY

Discussing the Coleman report, Henry Levin of the Brookings Institution wrote (*Saturday Review*, January 20, 1968): "Since children possess a wide range of inherited abilities and are products of different family and community influences, the findings that most variation in performance is *not* attributable to the schools is hardly surprising. The literature on testing suggests that from 60 percent to 90 percent of the variance in standardized ability tests is attributable to genetic differences among individuals."

Whenever the question comes up as to what proportion of the wide differences in intelligence and achievement test scores should be attributed to genetic factors and what proportion to environmental—home and neighborhood—influences, debate tends to become irrational and to be dominated by strong emotions and prejudices which render objective study difficult and often impossible. Stanford Professor William B. Shockley, a 1956 Nobel Prize winner in physics, tried to find a fact-based answer when, in 1966, he suggested to the National Academy of Sciences that it sponsor interdisciplinary research on the heredity-environment uncertainty. But Academy heads declined because they feared the resulting controversy might split the scientific community and the public. They were troubled over the impact that findings of such research might have on the highly explosive race issue.

James Coleman was also concerned lest some of his findings could be misinterpreted—or abused—as permitting racist implications. He was therefore careful to emphasize that "racial composition *per se* of the school was not related to achievement when the social class composition was controlled." In other words, the individual's educational attainment is unrelated to his *racial* background. But it *is* related to his *personal* background, whether because of heritage or environment, much more than to the characteristics of the school he attends.

The most significant statistical correlation was found to exist between the pupil's achievement test scores and the socio-economic level of his parents. However, until continued research has reduced the existing heredity-environment uncertainty, explanations of the close relation between parental income and children's educational attainment scores will remain hypothetical.

HOW CAN WE IMPROVE THE EDUCATION OF THE "DISADVANTAGED?"

The goal of raising the achievement level of children from low-income families who lag one or several years behind national norms has proven elusive. We have seen a large number of projects that produced very little or nothing. But we still have not found a method that works.

The most comprehensive study of American schools ever undertaken submitted no recommendations. Its director, James Coleman, added: "Indeed, if recommendations had been requested, they could hardly have been given—for the facts themselves point to no obvious solution."

Participants in the Civil Rights Commission's national education conference in November 1967 "reflected a general feeling of frustration . . . over the problems of big city schools" (*New York Times*, November 19, 1967). Spokesmen for various plans advocated the spending of greatly enlarged funds but no agreement was reached on which methods would work and which would not. The conference too produced no recommendations.

This does not mean that we should give up—or can afford to give up—on attempts to offer all children an opportunity to acquire an education up to the limit of their ability. But unless we recognize certain facts of life which should by now have become clear, we shall continue the experience of the past few years—frustration, growing conflict, hostility and mutual faultfinding, and the waste of large resources.

Children differ widely in their aptitudes and attitudes, and no power on earth can make all 6-year-olds or 10-year-olds or 17-year-olds perform at or near the average or "norm" for their age. The difference between the more and the less gifted children widens as they grow older, with some reaching their limit earlier than others. That difference may be less than one year at age 6 and grow to 3, 5 or more years at age 17. This is why virtually all countries outside the United States operate two or more parallel secondary school systems, why some of our own schools run several "tracks" or "streams." But in the great majority of American public schools, heterogeneous grouping and automatic annual promotion are now common practice. Thus the teacher is confronted with the impossible task of educating simultaneously in one classroom three or four or more grade levels of children. The gifted child is insufficiently challenged and the less endowed, unable to keep pace in class, is discouraged and alienated.

Many of the promises and projects of recent years and their pathetic results remind us of nothing so much as of the endeavors of the Alchemists, who for so long tried to accomplish what we now know cannot be done. Although they continued their efforts for many centuries and were permitted to spend large resources, they never produced an ounce of gold. Only after almost two thousand years of frustration did scientists conclude that gold can be found only where nature has placed it.

Before we can succeed in giving every child the best education he is able to absorb we must recognize the limitations set by nature and not set goals which cannot be achieved by any means presently known to man.

Contemporary techniques of psychological testing are far from perfect, but they permit us to determine with a high degree of accuracy and reliability the innate capacity of children. This determination enables us to offer each child the type of education he can master. *It is just as wrong not to segregate children for educational purposes according to their measurable natural capacity as it is to segregate them deliberately by color of skin. And it is just as destructive.*

Most European countries run schools which, for low-ability, children combine the teaching of basic essentials with training in marketable skills. From a specified age on, the schools provide part-time classroom instruction tied in with apprenticeship training by potential employers. The prejudice against vocational education in this country must be overcome and the myth destroyed that chronological age is the only criterion by which under democratic principles children should be assigned to schools, classes, grades, and curricula.

It is essential that the public schools be made flexible enough to offer a meaningful training and education to low-ability children and that appropriate job opportunities be opened to them. A certain percentage of the labor force are condemned to perpetual unemployment—or casual employment at best—by legal or contractual minimum wages that set standards of productivity which exceed their capacity. This wage policy has wiped out millions of unskilled and low-skilled jobs and made permament welfare recipients of potential workers.

It may well be that present programs seemingly based on the assumption that all children are possessed of the same—or at least an average—ability must run their course until the frustration and conflicts they create become unbearable and the waste of scarce resources too costly. Our emotional need to believe that all children can be made equal is too deep, and our national idealization of the average man too entrenched, to be quickly replaced by an acceptance of the notion that the range of educational and occupational offerings must be kept as wide as the range of human abilities. But until this awareness dawns, we shall not do justice to children poorly endowed by nature or to those who are highly gifted.

IMBALANCE OF FEDERAL SPENDING AND TREASURY REVENUES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. COLLIER] is recognized for 10 minutes.

Mr. COLLIER. Mr. Speaker, while enactment of the 10-percent surcharge on Federal income taxes has temporarily alleviated a fiscal crisis in this country, we are a long way from correcting the very serious problem created by the imbalance of Federal spending and Treasury revenues. Despite the fact that many of us forecast the troubles which were imminent in the face of the huge deficits, I contend even now that the tax bill may be nothing more than an "aspirin tablet remedy for a migraine headache" if it is not accompanied with a sound and austere Federal fiscal policy. There

is a tendency on the part of many people in the Federal Government, including a great number of my colleagues, to feel that because the 10-percent surcharge on Federal income taxes has been passed that we no longer need to be too concerned with the growing problem of deficit spending. This in itself is a dangerous attitude. The fact of the matter is that revenues will be increased by about $12 billion in the next year as a result of the tax bill, and this will be insufficient to meet even last year's Treasury deficit.

I have urged that the administration provide a midyear review of the 1968–69 budget. A review will be absolutely necessary if any reasonable control is to be exercised over the outflow of Federal dollars. There certainly seems to be no end in sight to the war in Vietnam, which may run as high as $30 billion a year by the end of fiscal 1969. If this is the case, we may be right back where we found ourselves early in June when the administration spokesmen pleaded with the Congress to enact the tax bill.

It has been painfully interesting to me to find that regardless of where any Member of Congress votes to keep budgetary expenditures within the realm of reason in the face of our huge deficit, organized resistance immediately comes from groups and organizations whose prime interest is getting as much Federal money as possible without any real regard for the chaos which a continuation of present spending policies could bring.

Certainly many of those who are protesting feel that their federally financed programs demand priority; and it is true that they are of a priority nature. But there is also a limit to what can be provided in Federal funds even for necessary programs. It is ironical to me that even where funds for various purposes of this nature have been authorized in sums in excess of those in the proposed budget that many of my colleagues have offered amendments to further increase these authorizations. This is understandable from the point of view of those who are the recipients of Federal funds, but I contend there is no excuse for Members of Congress who should be acquainted with the broad financial problems of the country to yield to these pressures because of the possible political consequences.

I believe that every establishment in this Nation which is receiving Federal funds, whether it is in the field of public health, education or some other important area of our national life, should take a public stand on increasing taxes with the same vigor and enthusiasm with which they support requests for Federal money. To do any less than this is merely a way of avoiding the basic problem which demands the attention of the administration and the Congress. Unless this attitude is assumed by those who resist any reductions in Federal spending, we will more than likely become so encumbered that at some time in the near future, cuts will have to be made which will impede even the current programs in these fields. Short-term indifference to a complete understanding of our fiscal situation may result in long-term damage to even the most essential federally financed programs.

Mr. Speaker, I want to go on record today with this statement predicting a new and even more serious fiscal crisis in the next year or two unless every establishment in the country receiving Federal funds recognizes the depth of our fiscal problem. As I have said before, if Congress is to satisfy the demands of every group, institution and organization for expanded Federal financing, we are going to need a tax increase at least triple that which passed with considerable resistance just a few weeks ago.

A NATIONAL HAIRCUT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Alabama [Mr. EDWARDS] is recognized for 10 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, as I look at our country of America this summer, I do not agree with all those folks who say that we are sick. I do not think America is sick. But I do think that we need a national haircut, a national shave, and a national bath.

Not only that, but I think the American people want this kind of a cleanup project, and want it real soon.

We have been thinking entirely too long about rights of the criminal. It is time we start thinking about the rights of the law-abiding citizen.

We have been figuring too long that handouts from Washington are going to change people's ways. It is time we start figuring that only people themselves are going to change their ways.

We have been trying much too long to solve all the Nation's problems by building a bigger and bigger bureaucracy in Washington. It has gotten so bad now that even the secret intelligence offices of the Government—and there are a lot of them—are getting so many reports every day they are filling up the files and not getting read until it is too late to do anything about them.

Mr. Speaker, we have been encouraging permissiveness in children so long now that college students tear down their university buildings and win the sympathy of an awful lot of people when the police try to restore order.

Daddy's money has gone for a lot of strange things on college campuses this year.

In Washington recently two bandits shot and killed a policeman with his own gun during a scuffle, and an important community organization issued a statement calling it justifiable homicide.

The real meaning of responsibility has been lost to many people—from high places in the Government right on down the line. All you have to do is glance at the kind of trash and pornography for sale at any large newsstand in the country, and you will have to agree that we need a national bath.

There is probably no one single and easy answer to all of this. We might make parents responsible for the misdeeds of their children. But who is going to be responsible for the misdeeds of the parents?

One key to this is much greater family strength as a means of building moral character and responsibility. You build an individual in the home, not by Government grants of money from Washington.

And community pride is built by people who live there, not by bureaucrats who think the Government knows best.

Mr. Speaker, we have tried the easy answers for 36 years now. For that long a time Washington has thought that Washington money and Washington brains could work magic solutions.

We know the result. They have not worked. They never will work.

It seems to me that part of our problem is that the noise in this country always seems to be coming from the same people. I think we need to hear from those who have been silent all these years.

Voting on election day is important. But it is not enough. I hope that the long-suffering and silent American taxpayer will make his voice heard soon, saying "Stop, we've had enough."

Let us give the individual back his dignity. Let us give the family back its ability and desire to shape the future of its children. Let us give the community back its pride and get it out from under obligation to Washington.

Let us get our States back to where they can do something for themselves. And let us get our flag back up high on the flag pole where we can know that it flies for the freedom of all of us—freedom that is not an automatic gift, but something that was won by hard work and which can be retained only through more hard work.

That is the kind of national haircut and national bath that we need. And the sooner we demand it the better off we all will be.

EIGHTH ANNUAL PUBLIC OPINION POLL OF THE 17TH DISTRICT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, the results of the eighth annual legislative questionnaire of the 17th District of Ohio have been tabulated. Without doubt, this poll is the most revealing annual study conducted in this area of central Ohio.

I have continued the policy of distributing the questionnaire to voters of all persuasions: Republicans, Democrats, and Independents, and again they have responded in impressive numbers. The sampling was sent into all parts of the district including the new areas of Tuscarawas, Stark, Summit, and Richland Counties—areas which will vote with the other eight counties for the first time this fall.

I believe that more than ever before this year's poll indicated stronger responses. The majorities of opinion are larger. The people are more nearly of the same mind on many of the vital issues. This was especially true of crucial domestic issues and on the issue of the *Pueblo*.

An amazing 93 percent of those responding believed that stricter handling of rioters by the courts and police would

appreciably reduce civil disorders. In contrast, only 4 percent disagreed.

Responses, including comments on the many letters and notes which were included with the returned questionnaires, indicated that most people have no quarrel with those charged with the immediate enforcing of the law, but instead place the blame for uncontrolled civil disorder on the courts and the political control of our men in blue.

Returns were also overwhelmingly against a federally guaranteed annual wage 93 percent against and only 3 percent in favor. This did not, however, appear to indicate that people were unconcerned with the problems of the poor and unemployed, but instead were disturbed at the failure of present methods. On the question asking which approach to the problems of poverty should be used, only 2 percent favored expanded Federal assistance of the welfare type so prevalent today. In contrast, 92 percent favored emphasizing jobs, and even make-work programs, rather than handouts.

The questions concerning Vietnam and present U.S. foreign policy exacted responses indicating that many of the people of the 17th District view present policies as either stagnant or moving in the wrong direction.

Only 8 percent of the responses favored the President's Vietnam policy while nearly five times this number—38 percent—support an all-out effort to win. Constitutents favor blockading Haiphong by a margin of nearly 8 to 1.

The present direction of our foreign policy is also scored by persons who are 2 to 1 against increased trade with the U.S.S.R. and Communist bloc nations and by those who responded 4 to 1 that immediate retaliatory action should have been taken following seizure of the U.S.S. *Pueblo*.

Even now, more than 6 months after this act of international piracy, 27 percent of the people believe we should continue present diplomatic, behind-the-scenes approaches to gaining release of ship and crew, but 64 percent believe we should "Give the North Koreans an ultimatum and take whatever steps are necessary to get the ship and crew back if they do not comply."

The time and effort required to conduct an annual survey is more than compensated for by the information it provides. The answers are always revealing and significant. Regardless of how much I travel through the various counties, the poll always provides additional insight into your views, and I sincerely appreciate the efforts of those who took time to answer and return these questions.

8TH ANNUAL PUBLIC OPINION POLL OF THE 17TH DISTRICT

[In percent]

	Yes	No	No opinion
VIETNAM AND FOREIGN POLICY			
1. The war in Vietnam continues as an area of grave concern. Do you think you have a clear idea of what the Vietnam war is all about; that is, do you believe our Government has adequately stated and defined U.S. objectives there?	27	68	5
2. Which of the following steps would you recommend in Vietnam?			
(a) Expand the war into North Vietnam with additional troops and bombings in an effort to go all out to win	38		
(b) Continue administration policy of supporting South Vietnam, with limited bombings of the North as a way of achieving settlement	8		
(c) Restrict our efforts to South Vietnam and attempt to negotiate a settlement	15		
(d) Submit the Vietnam question to the United Nations for a settlement	15		
(e) Withdraw our forces from Vietnam	18		
3. If we are to stay in Vietnam would you recommend the following actions?			
(a) Destroy the Red River water system of dikes, canals, and irrigation works in North Vietnam which produce and distribute vital rice supply	34	16	50
(b) Cut off enemy supplies through port of Haiphong by blockading or bombing	69	9	22
4. If a situation like that in Vietnam were to arise in another Asian country, would you favor any American action against Communist aggression?	34	50	16
5. Do you believe immediate retaliatory moves should have been employed by the United States to obtain return of the U.S.S. Pueblo and its crew when it was first seized by the North Koreans?	71	18	11
6. Which of these policies would you recommend the President now take to secure return of the men and the ship?			
(a) Continue to employ diplomatic channels or closed-door, behind-the-scenes efforts	27		
(b) Give the North Koreans an ultimatum and take whatever steps are necessary to get the ship and crew back if they do not comply	64		
(c) No opinion	9		
7. Do you favor current administration policy of promoting increased trade with Russia and Communist-bloc nations as a means of "building bridges to the East"?	31	62	7
8. Do you favor my proposal (H.J. Res. 1162) to amend the Constitution by requiring congressional approval before the President can dispatch troops outside the United States to areas of hostilities, except where direct attack on our country or Armed Forces requires immediate response?	83	13	4
VIETNAM AND FOREIGN POLICY—Continued			
9. We will be entering into a series of negotiations with the North Vietnamese. Which more closely reflects your views?			
(a) While not too successful in the past, negotiations with the Communists are a necessary step toward peace	20		
(b) Negotiations with the Communists might be more effective if the United States bargained tougher and demanded that agreements be kept	55		
(c) Negotiations with the Communists are a waste of time since the Communists don't keep their promises	21		
(d) No opinion	4		
DOMESTIC ISSUES			
10. What should be done about the President's proposed 10 percent surtax? Check only 1.			
(a) Support his request to increase personal and corporate income taxes	7		
(b) Enact a lesser tax coupled with limited mandatory spending cuts	12		
(c) Significantly reduce spending or place spending ceiling on Executive branch, eliminating need for added taxes	40		
(d) Revise or abolish tax loopholes, exemptions and allowances such as oil depletion, cooperatives, foundations, investment credit, etc?	20		
(e) Disapprove of 10 percent surcharge legislation	10		
(f) No opinion	11		
11. Do you favor the proposal for a federally guaranteed annual income regardless of whether the recipient works, desires to work, or is capable of working?	3	93	4
12. Great attention will be focused on urban problems, particularly the ghetto. Which comes closer to reflecting your opinion?			
(a) Large scale priority program for expanded assistance in housing, urban renewal, welfare, and income support	2		
(b) Emphasize jobs and even provide make-work jobs if necessary rather than expanded welfare, particularly for male recipients	92		
(c) No opinion	6		
13. Do you think that able-bodied men should be required to work as a condition of receiving welfare assistance?	95	1	4
14. Do you favor shifting some national holidays to Mondays to increase the number of 3-day weekends?	34	60	6
15. Do you believe that stricter handling of rioters and looters by the police and courts would appreciably reduce civil disorders?	93	4	3
16. Do you think that policemen should shoot looters?	77	15	8

RANDOLPH-MACON COLLEGE FOR MEN

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCOTT. Mr. Speaker, I appreciate the courtesy of the Chaplain in permitting Dr. Blakemore to open this day's session of the House with prayer. Dr. Blakemore has only recently come to Fairfax Methodist Church, of which I am a member. Although he has been in the Virginia Conference for a long number of years for the past several years he has been executive secretary of the Board of Education of the Virginia Conference of the Methodist Church situated in Richmond but prior to that time served in various pastoral appointments. It would seem proper to share with my colleagues in the House an editorial which appeared in last week's edition of the Herald Progress, a weekly newspaper published in Ashland, Va., within my congressional district and the home for the past 100 years of Randolph-Macon College for Men. This Methodist-related liberal arts college is now 138 years old, according to the editorial, but it has been located at the present Hanover County location for 100 years. Its new president, Luther W. White III, will be inaugurated on September 28, and I look forward to being at the college during the inauguration ceremonies.

While I am pleased that Dr. Blakemore could be with us today in the House, I know he will pardon me in drawing the parallel of his presence with the editorial in last week's Herald Progress, set forth in full below, and I do it because of his prior connection and deep concern for

education and the service to the Methodist Church and higher education by Randolph-Macon at Ashland:

ONE HUNDRED YEARS

This is Randolph-Macon College's centennial year in Ashland and Hanover County, and some mightly exciting doings are being planned for this September as the 138-year-old institution inaugurates its 12th president, Luther W. White III.

We look forward to helping the Town and Gown blow out their 100 candles and giving an official welcoming handshake to the college's new chief as he takes office.

Randolph-Macon's first home was at Boydton, Virginia. According to tradition, that site had been selected by three men riding home on horseback from an annual Methodist Conference in Petersburg. Stopping for lunch at a pleasant spot near a race track close to Boydton, they decided that this would be a fine location and near enough to North Carolina to enlist the support of the church in that state. One large building was erected and here Randolph-Macon was born and survived her pre-war infancy.

But after the Civil War, a new start was necessary. Methodist aid from below Virginia's border was no longer a drawing card, and a more central location in this state was looked for. A resort hotel was for sale in the village of Ashland, which had the distinct advantage of being on the railroad. And so, here in Ashland in 1868, the college was re-established.

Fronting on the railroad, the college built its first imposing brick buildings, now known as "old" Wash Hall, the "old" College Chapel, the "old" Science building and the "old" gym (the first gymnasium to be built in a Southern college). And here began the long and happy association between the students, the faculty and the towns people.

But to look to the past is to take the short view; the long view is to the future as Randolph-Macon continues its strides to pace its academic offerings to the space age (without loosening its roots in the classics), and as its physical plant grows in size and beauty. A quiet Sunday afternoon's drive amid the "oaks and maples" gives us the unmistakable feeling that this dynamic institution is indeed alive, ever changing and growing. Even without a student on the campus, one is given the distinct sensation that Randolph-Macon is not resting this summer, only pausing before it springs into action.

As a staunch and loyal friend of the college, it has been distressing during these past weeks to see tension develop between town and school officials over the disposition of a strip of campus which is needed for the new Center Street through-road on the east side of the railroad tracks. We must presume that the college board of trustees, not being local people, are out of touch with Ashland's heroic effort to solve its traffic problems; and we are confident that no barriers of misunderstanding have been thrown up which cannot be leveled again, and quickly. A century of mutual friendship gives us this confidence.

SECRETARY PALMER REPORTS ON 6-WEEK TOUR OF 16 AFRICAN NATIONS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include statement by Secretary Joseph Palmer.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, this morning the distinguished, able, and dedicated Assistant Secretary of State for Africa, the Honorable Joseph Palmer II, made report of his recent visit to 16 African countries at an open session of the Subcommittee on Africa of the Committee on Foreign Affairs.

He said:

Virtually everywhere I went I found great friendship for the United States.

He pointed out, however, that Africans were "deeply concerned at the prospect of considerable diminution in aid available to them in the period immediately ahead" and that "any reversal of direction or loss of momentum by a future administration with respect to civil rights and equal opportunity could deal a heavy blow to our relationships in Africa."

All in all it was a message of optimism that Secretary Palmer brought back from his lengthy tour of Africa, during which he had conferences at depth with many African leaders. I recommend it as "must reading" for my colleagues and the American public generally. As a public service, therefore, I am making it immediately available:

STATEMENT OF ASSISTANT SECRETARY JOSEPH PALMER II, BEFORE THE SUBCOMMITTEE ON AFRICA OF THE HOUSE FOREIGN AFFAIRS COMMITTEE

Mr. Chairman: I am both pleased and honored that you have invited me to discuss with the members of this Committee my recent trip to Africa.

Before doing this, however, I would like, for my part, to add to the many tributes which were paid to you, Chairman O'Hara, on the floor of the House last Tuesday, July 16, when you spoke so eloquently in behalf of the Foreign Assistance legislation. I noted among the statements made by your colleagues the true and well-earned words of the Chairman of the Committee on Foreign Affairs when he expressed his appreciation and admiration for your great work as Chairman of this Subcommittee on Africa. In addition, Dr. Morgan expressed two thoughts which I would like to reiterate. He noted the affection and esteem in which you are held by the leaders of every country in Africa, and he expressed the admiration of the Bureau of African Affairs in the Department of State for your service in behalf of African-American relations.

I would like to affirm in the strongest possible terms my own support for this tribute. You have, indeed, Mr. Chairman, been a source of strength and inspiration to us all.

I recall that it was about ten years ago when you, Mr. Chairman, made a significant trip through Africa. I need hardly emphasize the transformation that has taken place during this past decade. My own trip of the past six weeks—when I visited some sixteen African countries—gave me new insights into this rapidly changing continent.

In almost all of these countries I found many developments of an encouraging nature. There was a sense of dedication, of determination and purpose among African leaders as they tackle their awe-inspiring problems of national development. There was a similar sense of dedication and service among the American officials working in Africa. I spoke with African heads of regional organizations, such as President Diori of Niger, presently the Chairman of both the Common Organization of African and Malagasy States and the Entente, and with President Beheiry of the African Development Bank—thereby gaining further understanding of African cooperative efforts.

I visited over a hundred developmental projects which illustrated the value of effectively continuing our economic assistance programs. I saw a number of Peace Corps activities which demonstrated the vigor and effectiveness of these volunteers. I saw the benefits of American private enterprise and had a glimpse of the opportunities which can be developed for such activity. And everywhere I encountered the well-known hospitality of the African leaders and their people which made the entire trip a real pleasure. May I highlight for you a few of my principal impressions and then make myself available to the Subcommittee for questions and discussion if it so desires:

Africa, during the past decade, has been going through a process of problem identification. While this process is by no means completed—and may never be—it has resulted in delimiting the major tasks and priorities which lie ahead. The experience is resulting in far more pragmatism and a greater emphasis on internal problems rather than on ideological adventures.

The emphasis almost everywhere is increasingly on agricultural production as the realistic basis for development, with secondary emphasis on transportation, communications and the exploitation of mineral resources.

Along with this pragmatic approach to developmental problems, the advantages of regional cooperation are receiving increased attention and acceptance. In this regard, the urge to break down the barriers between English-speaking and French-speaking Africa is gaining force.

Nations of Africa are quietly, but firmly, determined to assert positions of true independence, to build national identities reflecting African values and based on African aspirations. Similarly, efforts are beginning to be made to involve people of all levels of life in the entire developmental process. Ministers and high officials are spending more time outside their capitals, thus bringing the government to the people and informing themselves of the desires and needs of the country as a whole. The increasing attempts to impart a sense of national identity by emphasizing African cultural heritage is also worthy of note.

Virtually everywhere I went I found great friendship for the U.S.

There is deep gratitude for our programs of economic assistance in all of its forms—aid, Peace Corps, PL 480, Eximbank, etc.

We benefit greatly from our own revolutionary past and the fact that the principles for which we stand as a nation are principles that are acceptable to Africans.

There is widespread understanding of what our Government is doing to advance the cause of civil rights and equal opportunity here in the U.S.

There has been a substantial improvement and understanding of the American position on Viet-Nam since the talks in Paris began.

At the same time Africans still have concerns with respect to their relationships with us:

They are deeply concerned at the prospect of considerable diminution in aid available to them in the period immediately ahead. While they accepted my frank explanations as to the reasons for this diminution, there is a danger if we are not able within a reasonable period to at least restore past levels of aid and to introduce more flexibility with respect to our programs.

Similarly, any reversal of direction or loss of momentum by a future Administration with respect to civil rights and equal opportunity could deal a heavy blow to our relationships in Africa.

May I give substance to these general impressions by recounting very briefly my visit to the sixteen African countries during the period between the beginning of June and the middle of July.

The Gambia (May 31–June 3).—Bathurst, the capital of The Gambia, was the first stop

on my African tour. Here, I met with the Prime Minister, Sir Dawda Jawara, and members of his cabinet for a frank exchange of views on matters of mutual interest. As always, I found the Gambians most friendly in their attitude toward the U.S., pragmatic in their approach to the difficult problems of development, and sharing with us a similar world view. The Gambians were particularly appreciative of our modest aid effort in which they place great hope.

Guinea (June 3–7).—Though faced with many difficulties, President Toure has succeeded in solving a number of the problems of nation-building. My visit to Guinea was the occasion for the President and people of Guinea to demonstrate that despite past difficulties they have warm feelings for the U.S., sincerely wish sound relations and are proudly independent. President Toure himself took me out in the provinces, introduced me to his people, and encouraged me to meet with and talk to Guineans of all walks of life. He showed me the imaginative way Guineans are uniting their art and tradition with the task of building a modern society. The President and his people are most anxious for the success of planned American private investment to develop Guinea's bauxite and other resources. My visit to Guinea was one of the most useful of my entire trip.

Sierra Leone (June 7–8).—My brief visit to Freetown came during a period when Prime Minister Siaka Stevens was in the process of dealing with a number of internal domestic problems. I nevertheless was able to have a wide-ranging discussion with him, which among other things contributed to a better understanding of the role of the Peace Corps in Sierra Leone. It is to be hoped that with the return to civilian rule in Freetown the country will be able to work out its political problems and reengage its efforts in solving its economic problems.

Upper Volta (June 8–11).—In Upper Volta I had most cordial meetings with President Lamizana and his ministers dealing with both foreign and domestic affairs. This gave me the opportunity of discussing both African matters and developments within the country itself. Among my interesting visits on this trip was one to the Markoy cattle ranch, a project financed by A.I.D. I was much impressed by this pilot animal husbandry project, as well as the country's determination to tighten its belt and work for its economic development. I also took this occasion to fly over the rich nearby manganese ore deposits in the Tambao area of the country.

Niger (June 11–13).—In Niger, I had long and helpful talks with President Diori, who recalled with great pleasure his visit last year to the United States, as well as with other principal officials. President Diori—like other African leaders—was most generous in his hospitality to me personally. His role in OCAM and the Entente and his deep concern with the Nigerian problem gives him a special position in African Affairs. I also was able to visit the A.I.D.-sponsored young farmers' training school and a reforestation project. On the flight from Niamey to Fort Lamy, I stopped for several hours in the desert town of Zinder where I had the opportunity to observe life in this historic area as well as to learn of the repercussions the Nigerian civil war is having on the economy of Niger.

Chad (June 13–16).—The Chadian Government spared no effort in its hospitality. My visit was productive as well as enjoyable. I met with President Tombalbaye, Foreign Minister Baroum and Minister of National Economy Abdoulaye Lamana, with whom I discussed local and regional political and economic problems. President Tombalbaye provided his personal airplane to visit Mao, the capital of the ancient Kingdom of Bornu and Bol, where I saw the progress of the Lake Chad land reclamation project. I also saw the work of the Peace Corps and was especially impressed by an ox-drawn pump, designed by the volunteers, which greatly facilitated local irrigation efforts.

Central African Republic (June 16–18).—In Bangui, the capital of the Central African Republic, I had an opportunity to discuss the excellent state of U.S.-CAR relations with President Bokassa, Acting Foreign Minister Lavodrama and other government officials. In two radio interviews I was able—as in other African centers—to express USG friendship to the Central African people. I observed several aid project activities, met with U.S. missionaries and visited a diamond cutting factory, jointly owned by the CAR Government and an American diamond firm.

Cameroon (June 18–21).—My visit to the Federal Republic of Cameroon was extremely fruitful, both in revealing the basic warmth of relations between our two countries and in giving us a chance to exchange views on many subjects of common interest. Foreign Minister Nko'o accompanied me throughout my visit to Cameroon's three principal cities—Yaounde, Buea and Douala—and attended a luncheon of American businessmen in the latter city. Vice President Foncha, the Foreign Minister, and Prime Ministers Muna of West Cameroon and Tchoungui of East Cameroon were among my many hosts. I also had an opportunity to observe U.S. A.I.D. projects and the excellent work of Peace Corps volunteers and American missionaries in Cameroon.

Gabon (June 21–23).—In Gabon, in addition to holding discussions with President Bongo and the Ministers of Foreign Affairs and Development Planning, I saw firsthand some of the great economic progress being made. I visited Port Gentil, location of one of the world's largest plywood factories, inspected the Shell Oil fields at Gamba and spent a night at the site of the Franco-American manganese mine (COMILOG), 49% of whose stock is owned by the U.S. Steel Corporation. While in Libreville I also visited the church which was built by the first missionaries to Gabon, who arrived in 1842. The original church is still in regular use, as are the original pews, which were sent to Gabon from Massachusetts. In addition to U.S. Steel, American oil companies are conducting explorations in Gabon, and the Bethlehem Steel Company owns 50% of the company (SOMIFER) which has been given the concession to exploit Gabon's immense iron ore reserves at Mekambo.

Congo (K) (June 23–27 and June 30–July 3).—When I visited the Democratic Republic of the Congo, I found the country to be making encouraging progress in its efforts to rebuild its economy, to strengthen its internal security, and to move forward into a developmental phase. I was able to supplement my very useful conversations with President Mobutu and his principal ministers with visits to Lubumbashi, Kolwezi, Kisangani, Bukavu and Goma. The economic reform, which the Congolese Government undertook last year under the guidance of the International Monetary Fund, is putting goods onto the market and reviving agriculture, although efforts are hampered by the lack of a viable transportation infrastructure. Nevertheless, the outlook for a continued increase in Congolese exports is excellent. While the Congo still has many problems to overcome, I was most encouraged by the improvement in the business climate and the determination and dedication which the Congolese leaders have shown in meeting the problems squarely even when considerable sacrifice was involved. I was also shown during my visit to eastern Congo that, in spite of the succession of disturbances which have ravaged this region over the last few years, the Congolese people are energetically and effectively working to restore the economy of the area. I helped the Congolese celebrate their independence day in Bukavu, the scene of the defeat of the mercenaries which was aided by the American loan of three C–130's to transport Congolese troops to the area. I then traveled by road from there to Goma and on through the eastern Congo to Uganda, illustrating that security has been restored to this much ravaged area. I was greatly encouraged by the progress I saw and if present trends continue, there is every reason to believe that the Congo can realize its great promise as one of the most advanced countries in tropical Africa.

Rwanda (June 27–29).—My visit to Rwanda a country with which the United States has always enjoyed most amicable relations, was enlightening and valuable. I engaged in substantive discussions on various issues affecting Rwandan-American relations with a number of Rwandan leaders. I was impressed by the efforts made by these leaders in the economic and social fields. It is these efforts which have permitted the nation to make steady progress since independence in spite of substantial obstacles caused by her geographic position, size, and density of population.

Burundi (June 29–30).—My visit to Bujumbura came at a time when the relations between the United States and Burundi have taken a decided turn for the better. They are expected to become even more cordial with the arrival soon of a new American Ambassador in Bujumbura. In my talks with Burundi leaders, including President Micombero, it was stressed by both sides that the good relations between our two countries are founded on the basis of mutual respect for each other's views and our mutual interest in seeing Burundi's continued economic progress. In Burundi, as elsewhere on my trip, I was impressed by the serious and effective manner in which the country is concentrating its efforts on solving the problem of economic development.

Uganda (July 3–4).—I was most pleased to renew my acquaintance with Uganda, which is making impressive progress. The contrast in the excellence of southern Uganda's road system with the underdeveloped routes in the adjacent areas is indeed dramatic and illustrative of how importantly transportation looms in the economies of African countries. From southwestern Uganda I flew to the capital, Kampala, where I had discussions with President Obote and Foreign Minister Odaka. Uganda had recently played host to peace talks between the Government of Nigeria and breakaway Biafra. I was able to learn at firsthand of the constructive efforts of President Obote and Foreign Minister Odaka to contribute to a constructive solution to the Nigerian problem.

Senegal (June 8–11).—After a visit to Nigeria, on which I will comment in a minute, my last stop in Africa was Dakar, where I had a most friendly and encouraging meeting with President Senghor and other Sengalese leaders. Our modest aid program in Senegal is making a definite contribution to the country's development and is greatly appreciated by the President and the people. Faced with a problem of student and worker riots in late May, President Senghor is now busily engaged in dealing with the causes of this unrest. As it was everywhere in Africa, my reception in Senegal was a concrete demonstration of the friendly feelings the leaders and people of Africa have for the United States and their sincere desire to develop close and friendly relations with us.

Nigeria.—My visit to Lagos, July 4–8, as well as brief stops in Paris, Geneva and London en route to the United States at the end of my trip, permitted me to gauge more accurately the dimensions of the tragic problem which besets Nigeria and to talk with officials—such as those of the International Committee of the Red Cross at Geneva—concerning methods of rapidly extending humanitarian help to those who are innocently suffering as a result of the hostilities. I return from this trip even more impressed both by the seriousness of the

problem, the necessity of reestablishing peace in this war torn country and the urgent need for immediate humanitarian assistance to its civilians, especially its children.

General Gowan emphasized to me his strong desire to reach a peaceful settlement and his willingness, which was subsequently communicated to the Red Cross and OAU, to facilitate the movement of humanitarian supplies to the affected areas. It is my strong hope that Colonel Ojukwu will respond to the Red Cross and OAU urgings to make this possible.

The tragedy of the civil war which continues to rage in Nigeria, and particularly the suffering of innocent civilians on both sides, was the source of great concern among virtually all the African leaders with whom I talked. Their overwhelming desire, like ours, is for the earliest possible end to the war and the suffering. Many of them have been working behind the scenes toward that goal for some time, and now the efforts of the Consultative Committee on Nigeria of the Organization of African Unity, composed of the heads of state of Cameroon, the Congo, Ethiopia, Ghana, Liberia and Niger, appear to have made significant progress.

We are of course greatly encouraged by the news from Niamey over the weekend that both sides have now agreed to resume negotiations to end the war. Preliminary discussions are to take place in Niamey, with President Diori of Niger as chairman. Then, when the details are worked out, substantive talks are to follow in Addis Ababa under the auspices of the OAU Committee, of which Emperor Haile Selassie is chairman. Although serious differences continue, we are hopeful that these talks will fare better than those earlier and bring an end to casualties and destruction.

This will require a high degree of statesmanship, tolerance and realism. I found everywhere on my trip a growing alarm over the Nigerian conflict, however, and a growing conviction that Africans must help solve it. We share that view and believe that the talks scheduled in Addis Ababa are an important step in that direction. We hope fervently for the success of these talks.

Of even more immediate urgency is the problem of getting relief supplies to the suffering on both sides. Although the political impasse which prevents free movement of relief supplies into the secessionist area has not yet been fully overcome, a major relief effort by the International Committee of the Red Cross is under way. That effort has the full cooperation and support of the United States Government, as well as many other governments and private voluntary organizations. As the President made clear in his statement of July 11, our intention is not to interfere in Nigerian military or political affairs, but to alleviate the suffering of innocent persons on both sides.

The need is great and urgent. We are far from satisfied at the amounts of relief supplies which thus far have reached the suffering, but are working urgently with the ICRC and other governments to find a means of breaking the bottleneck now caused by the failure to reach agreement on how to get supplies through the lines of fighting. In the meantime, ICRC stockpiles are growing, and we are hopeful for an early agreement among all concerned which will permit adequate supplies to flow to the needy wherever they are.

The U.S. contribution to Nigerian relief, including estimated donations of $2 million from private sources, has now reached $7 million, including a Government donation of 5500 tons of food worth $2.7 million to UNICEF approved on July 12. In addition, Secretary Rusk has informed the ICRC that we are providing a reserve fund of $1 million for that body to draw on in meeting Nigerian relief needs. This contribution should be particularly useful in giving the ICRC flexibility to procure vehicles, charter ships and aircraft, and purchase or lease other equipment for rapid deployment to the areas of need.

We recognize that the implementation of an effective relief program in Nigeria is an enormous enterprise. The ICRC is expanding its organization to carry out such a program and has just named Mr. Auguste Lindt, the Swiss Ambassador to Moscow and formerly UN High Commissioner for Refugees, as the High Commissioner of Nigerian relief operations.

A truly effective relief effort requires the full cooperation of both federal and rebel officials, for there are thousands of desperately needy people in both areas. I am confident that such cooperation will be forthcoming, for, as the President said on July 11, "mass starvation that can be prevented must not be allowed to go on." We shall continue to cooperate in every way possible with the ICRC emergency relief effort to achieve this result.

Mr. Chairman, I have given special attention to the Nigerian question, since it is one which concerns us all deeply and in which the Committee has a special interest. We should all work to mitigate the effect of civil war on the innocent and to bring hostilities to an end. I would like, at the same time, to return to the trends in Africa which I outlined at the beginning of my remarks. African leaders are undismayed by the admittedly major problems they face, for they have an increasing sense of direction in their efforts and they are using their resources with greater effectiveness. These developments portend better government, economic growth and individual progress. Along with the sense of urgency of particular problems I would like to leave with this Committee the sense of encouragement I draw from these general patterns. Within this perspective, I believe that the United States can develop constructive policies designed to meet the needs both of our national interest and that of the African nations.

DIRE CONSEQUENCES OF CUTS IN EDUCATION FUNDS

Mrs. MINK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mrs. MINK. Mr. Speaker, I have received a most cogent and persuasive letter from a professor at the University of Hawaii which reinforces my reasons for voting against the 10-percent income surtax bill last month. In his letter to me, Dr. Howard C. McAllister expresses the dire consequences cuts in education funds will mean to university programs all across the Nation. Because his letter is one of broad implication, I submit it for the attention of all Members of this House:

HONOLULU, HAWAII,
July 5, 1968.

HON. PATSY MINK,
House of Representatives,
Washington, D.C.

DEAR MRS. MINK: Considerable written and spoken concern has been expressed on the serious impact of budget constraints on the United States scientific and technical programs. Though I share the concern in this area, I am considerably more disturbed by the multiplying effect these budget reductions have by the time they reach high school and university students.

Even moderate percentage reductions in funds for particular programs, which are contrary to the need for expanding research and development but might appear to be at least manageable, are greatly amplified in their effect on educational programs. For example, NASA fellowships have virtually disappeared, a one hundred percent reduction in one budget area as a result of a more moderate reduction in the total NASA program. One expects at least a further fifty percent reduction in NDEA fellowships and a like decrease in the NSF fellowship program.

This effect is considerably augmented by the budget limitations that have been developing in university research programs, particularly in the physical sciences. These programs provide significant financial assistance to students—both graduate and undergraduate—in return for their service to the research effort. However, in order to maintain the scientific integrity of a research program within the funding limitations imposed, one has no choice but to cut corners wherever possible and one of the first corners is obviously the student research assistants.

I have reduced the student payroll on the research project I direct by some seventy percent and am aware of others following the same course. This itself is of some concern. However, the total effect is much broader. One is compelled to refrain from encouraging students to continue in or enter into careers in physics, as such encouragement carries with it some degree of commitment. During the winter and spring period of selecting applicants for graduate study, the reluctance of those of us directing research funds to take on any risk of commitment for student financial assistance or providing graduate research opportunities severely limited the enthusiasm with which the Department could recruit graduate students.

Decreases in fellowships and research funds couple with the draft to produce a quite bleak outlook in the graduate area. The same type of thing also occurs in the undergraduate area. Research programs provide significant financial support as well as training for undergraduate students in return for their services to the research work. Ever-increasing numbers of students are entering universities. This, I believe, is as it should be. However, those from lower income groups constitute a large proportion of the increase in university enrollments, partly because of national objectives set by the substantial educational legislation of a few years ago. Now financial assistance to these students is a growing problem.

In addition to the decrease in financial assistance to these students from curtailed research programs, expansion from other programs has not been available to meet the need. For example, the Work Study Program of the Higher Education Act did at one time provide financial assistance for several students working on the research I direct. However, this support was withdrawn over a year ago. Decreasing research funds make it impossible for me to continue to augment this program by paying these students from the research contract.

The effects extend beyond the University. There are such programs as the Secondary Science Training Program sponsored by the National Science Foundation. This program selects qualified high school students to work with scientists at the University. I have participated in this program and enthusiastically endorse its intent. However, I presently have working with me a freshman student who previously had spent a summer with this work under the SST Program. This student discontinued a part-time position with a bakery on the strength and opportunity of employment by the research contract. I will, of course, delay as long as possible terminating this particular student's position.

Thus the national budgetary constraints of the past year have already produced quite broad and disproportionate effects when

measured in terms of the effect upon student perspective and opportunity and the meaningfulness of efforts of people directly and indirectly involved in the difficult problem of developing the educational environment. It is apparent that this situation will become more severe.

My concern in this matter relates to the pressing socioeconomic problems of national import. However these problems are solved, the basis for solution must necessarily be significant increases in the productivity of individuals. Social and economic justice can only be fully realized in a nation that is capable of production far beyond that which is necessary for essential consumer goods and defense.

Education is fundamental to increased productivity. Application of the already available scientific knowledge now lags its potential due to the scarcity of people with the necessary training in science to translate this knowledge to practical benefits. Indeed, within our present methods of education we appear to be bumping against the limit of the proportion of the population obviously capable of scientific training.

It is compelling that we must not only avoid any loss in the potential of present students but also that we must look toward increasing teaching effectiveness, both by improvements in methods and by improvements in teaching environments at all levels in order that the needs of today and tomorrow will be met.

It is hoped that the importance of scientific research as a necessary ingredient of education will soon be rediscovered and that national policies which reflect this fact will be more assiduously developed.

Very truly yours,

HOWARD C. MCALLISTER.

P.S.—Your vote against the recent tax increase-budget cut was noted and I compliment you on your courage in such a position. We have all been well conditioned to acceptance of this as necessary "medicine." However, I lack the necessary insight to see exactly who is being treated. Our creditors abroad perhaps benefit. But the poor and destitute at home do not. There are problems of use and distribution of national resources which require substantially more imaginative solution than afforded by a budget reduction. The least an affluent nation like the United States should do is feed its hungry.

LETTER FROM A COLLEGE STUDENT

Mrs. MINK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mrs. MINK. Mr. Speaker, I want to share with my colleagues a letter I received from a college student in which she expresses her hopes and dreams for the future. She writes to me because she believes that I can serve as a medium of communication between the youth of our country and their elders.

I realize that this is one of my most challenging responsibilities, and therefore I submit this letter in acknowledgement of our collective duty:

HONOLULU, HAWAII.

Representative PATSY T. MINK,
House of Representatives,
Washington, D.C.

DEAR MRS. MINK: This letter of appreciation thanking you for your recognition of my debate skill is somewhat belated. Perhaps there was an express purpose for its tardiness. I will try to explain this later on in my letter.

I would like to thank you, first of all, for taking the time and trouble to send me your letter of congratulations for the participation of my partner and I in the recent Hawaii State Debate Championship Tournament. It greatly heartens me to know that at least one person who is engaged in a vital part of Hawaii's educational program would seriously concern herself with the academic achievements of individuals on a personal level.

Related to this point, I would also like to express gratitude on behalf of myself and the rest of the members of the University of Hawaii debate team, for your cooperation and support of the debate program which you have shown by sending us the important materials that we had requested for this year's college debate topic. Needless to say, much of the information that we had received from your office has helped us in the structuring of our cases.

For these reasons, then, I felt it necessary to extend my sincerest appreciation for the efforts that you have made in the education of young people today.

It seems almost like an entire age ago since I've been out of the debate realm (at least, temporarily). Many pressing, critical issues, such as the assassination of Senator Robert Kennedy, the fight for stronger gun control, the crisis of urban riots in our biggest cities, and the increasing fervor in the Presidential race, have hurled me so swiftly into a political and social reality that the academic achievements of "debate for debate's sake", though far from unimportant to me, have assumed a lower priority of interest at the moment.

I imagine that there must be millions of young people like me, clutching in their palms of sensitivity an acute awareness of the need for deep-rooted, effective changes in our society. There must be hosts of young people, like myself, disengaging themselves daily from the "standard" values of our parents' generation, in search of more meaningful concepts that we, the future grassroots of America, can justifiably live with.

Our generation has been dubbed the "lost" generation. Perhaps we are, in a sense. In the wake of the assassination of Senator Robert Kennedy, who was a charismatic activist leader of the young people as Senator Eugene McCarthy is the escutcheon of the young, intellectual liberals, I have sensed an almost implacable despair. For it was in these two prominent figures that Young America purchased stock in her most vivid, energetic, and optimistic dreams—and a death to one of them meant a myriad of hopes aborted, a great potential energy whose kinetics were lost when its Generator died.

So here we are, the Lost Generation. And what are we to do? I must confess that, for a time, I could not truthfully find any answers to this question. It took some deep introspection on my part to finally come up with a solution of some sort. I feel that I can identify with my generation in this respect. As many of them have done before, I have played the successive roles of neutralist, of modulated skeptic, then of outright rebel, reacting to each and every "Establishment" program as the stereotyped young radical feels he should. Yet, this had gotten me nowhere, and I felt a sense of displacement and helplessness which is common to those who have been in similar shoes. Better, I thought at last, to resume your place in the society that raised you in the affluence of hope, even as it has sometimes, it seems, robbed you of a small part of its dowry. You cannot hope to change something that you refuse to touch.

At last, I feel that I have found an important focal point on which I can pivot the rest of my life. It is in this theme, then, that I write this letter. Perhaps, Mrs. Mink, I am not really writing to you as I am writing through you, to the young people of whom I am, and always will be, an integral part. In addressing this letter to you, it may well be that I am paying you a compliment of the highest type—that I view you as a respectful, concerned medium through which communication of ideas among young people can be furthered, in the same hopeful vein that we, Young America, seek communication with our elders.

I shall end here. I hope that, at least, a modicum of my thoughts have reached you. If I were to sum up the main idea of this letter, it would be this; that my greatest conviction of the young people of this country, on which I base undaunted optimism, is that we are relentless dreamers; that even in the face of a prophesied, blighted future, we can still stubbornly decline the end of hope; that the young people of America, my people of my America, can reincarnate a new life for our country. Mortal as we are, we can attain immortality if, when our generation is finally laid to rest, we will not die dreamless. In this faith I remain,

Respectfully yours,

CATHERINE E. AGOR.

PROGRAM INFORMATION ACT

Mr. REINECKE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REINECKE. Mr. Speaker, recently I was very pleased to cosponsor the Program Information Act, H.R. 18503.

The Program Information Act simply proposes that the President shall transmit at each new session of Congress a current catalog that will list all the various Federal assistance programs that are available. For each Federal assistance program, the catalog will identify and describe the program, state the level of funding, and set forth the costs of the recipient, and the names of the appropriate officials to contact, describe the mechanics of application, and identify related programs.

In these critical times it is catastrophic that solutions to many problems are lost because of the communications gap between Washington and the communities back home. This gap is reflected by the constantly repeated question, "What Federal assistance is available to us?" and an uncertain response to the question.

Clearly, this legislation is not a solution for all our problems, but it is an important first step for making all of our Federal assistance program efforts more manageable, more widely used, and more effective.

Thus, the passage of this legislation would not only help our constituents, but would also give Congress a new information tool for weighing the relative worth of such programs and for evaluating proposed new programs. Congress, as the people's branch of the Government, is responsible to the needs of the Nation. In order to fulfill these needs, Congress must use innovations, such as this catalog, to supply complete and relevant information to everyone who wants it as a

tool for making creative federalism more efficient.

Such a catalog, as outlined by this legislation, would give citizens a new window for viewing where their tax dollars are being spent and how some of these dollars might be returned to their communities for worthwhile projects.

In addition, the bill would provide the executive branch with the essential information it needs to eliminate duplication of agency programs and to streamline its activities. Also, the catalog could be used as a valuable reference source for determining the need to ask Congress for a new program. Thus, the executive branch as well as Congress has the obligation to know specifically where Federal assistance money is being spent and how the programs are being administered; and certainly the public, as the one who foots the bill, has a right to know this too.

In conclusion I am pleased to cosponsor a bill in which the public and the Congress will receive such extensive benefits. For the first time the public will have access to a complete catalog of all available Federal assistance programs. Congress will gain an invaluable reference for the funding and future creation of such programs. If this bill is enacted into law, it will become a beacon of essential information for many citizens and organizations who helplessly know there is program money available for worthwhile projects, but are lost as to where to apply for it.

Conversely, the catalog would give Congress a source of comprehensive information to fit available resources to specific local needs. As in no other era, these complex times call for Federal, State, and local levels of government, elected representatives and citizenry, to work together for progress.

For all of these reasons, I was eager to cosponsor the Program Information Act, H.R. 18503. I am hopeful that this nonpartisan legislation will attract many more Members as well as the administration.

EXTENDING THE HELPING HAND TO COMMERCIAL FISHERIES

Mr. REINECKE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REINECKE. Mr. Speaker, I wish to add my full support to the bill which I was pleased to cosponsor with the chairman of the Committee on Merchant Marine and Fisheries to extend the Commercial Fisheries Research and Development Act.

The importance of this act is broadly appreciated. The Fish Boat, March 1968, said:

> The legislation is one of the most meaningful and helpful programs to come under BCF jurisdiction in many years. It provides 50% to 75% Federal funding of State-originated projects associated with the commercial fisheries.

I have received from State fisheries officials and industry representatives in California numerous favorable comments regarding the program. Therefore, it is a matter of great satisfaction that I am able to join with the distinguished chairman and many of my colleagues in advocating the continuance of the act.

The new legislation proposes an extension of the basic act for a period of 4 years beyond the scheduled expiration date of June 30, 1969, at the present authorized level of funding.

Mr. Speaker, we hear from an ever increasing number of sources that in the seas are vast treasures which we must begin to tap. None of these treasures is so obvious as the living resources we find there. The extension of Public Law 88–309 will help to insure that these resources of the sea will be utilized efficiently.

Since 1956 the United States has slipped from second to sixth place among the fishing nations of the globe. Unless we make a concerted effort to increase the technological base of our fishing industry, we shall drop even further in the international standings. The fact that fishing is one of the most ancient of industries does not mean that it must stand apart from progress. Indeed the success of other nations show that a partnership with technology is essential.

Extension of the Commercial Fisheries Research and Development Act will allow the continuation of the 223 projects in 47 States and four other areas under U.S. jurisdiction; will insure funding for the 135 professional and technical personnel whose employment by the States was made possible by the law; and will continue the 44 research and development projects now being carried out through contracts with educational institutions.

The most important continuation which we can make through extension of Public Law 88–309, however, is that of the spirit of cooperation and partnership between the States and the Federal Government so as to insure the solution of local and regional problems by those most familiar with those problems.

It is for these reasons that I heartily support the bill H.R. 18808, introduced by the chairman, and I urge the similar support of my colleagues.

BORDER DEVELOPMENT AND FRIENDSHIP

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WHITE. Mr. Speaker, as the Representative of the largest city along our friendly border with Mexico, I have the honor to introduce a bill, in which I am joined by other border Congressmen, to give congressional recognition and endorsement to the decision by the Presidents of the United States and Mexico last year, when they set up the Joint United States-Mexico Commission on Border Development and Friendship. Joining me in this sponsorship are: the gentlemen from California [Mr. VAN DEERLIN and Mr. TUNNEY], the gentleman from Arizona [Mr. UDALL], the gentleman from New Mexico [Mr. WALKER], and the gentlemen from Texas [Mr. FISHER and Mr. KAZEN].

The bill we have introduced, H.R. 18807, will formally establish the U.S. section of the Commission on Border Development and Friendship, and provide a statutory foundation for its important activities.

The establishment of this Commission, by agreement with the Presidents of the United States and the Republic of Mexico, opened a new chapter in the relations with our good neighbor to the south. Our two countries stated by their actions that the good neighbor policy is not merely something to be accepted, but to be worked at, every day, for the benefit of our two countries.

As the first Chairman of the U.S. section, I was pleased that the President chose Ambassador Raymond L. Telles, the former mayor of my home city, El Paso, Tex., and more recently our Ambassador to Costa Rica. While in the armed services of our country, Mr. Telles also held diplomatic liaison posts in Mexico.

As President Johnson pointed out in his message to Congress, recommending that the U.S. section of the Border Commission be given congressional sanction, the two sections of the Commission are already hard at work. They have established formal mechanism for dealing with emergencies and disasters along the border area. They have agreed on a joint training center to assist the unemployed and underemployed on both sides of the border. They are in the process of establishing pilot joint community service centers to aid low-income groups of both nations. They are now engaged in an industrialization study to pursue the possibility of increased industrialization of the border. They are strengthening the already excellent working relationships in the field of public health; and have held a joint workshop to discuss mutual urban problems—a project to be repeated at sister communities all along the border.

This excellent work deserves our support, and I hope we shall approve the legislation to continue it in the present Congress. It will then stand as a means of achieving the continuing good relations we have pledged with Mexico.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following (at the request of Mr. MIZE) to revise and extend their remarks and to include extraneous matter:)

Mr. GUBSER, for 30 minutes, today.

Mr. COLLIER, for 10 minutes, today.

Mr. EDWARDS of Alabama, for 10 minutes, today.

Mr. ASHBROOK, for 15 minutes, today.

Mr. KUPFERMAN, for 30 minutes, on Wednesday, July 31.

Mr. DIGGS (at the request of Mr. PATTEN), for 60 minutes, on July 30, and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PODELL during the Committee of the Whole on the McClory amendment.

Mr. BRASCO in the Committee of the Whole today prior to the vote on the McClory amendment.

Mr. DINGELL in the Committee of the Whole today on his amendment relating to retroactivity, and to include extraneous material.

Mr. MADDEN and to include an editorial.

Mr. DOLE to revise and extend his remarks immediately prior to vote on McClory amendment with reference to Federal licensing.

Mr. MIZE to revise and extend his remarks immediately following remarks of Mr. KEITH.

Mr. KEITH to revise and extend his remarks immediately preceding the vote on the McClory amendment enabling States to adopt licensing for all firearms.

(The following Members (at the request of Mr. MIZE) and to include extraneous matter:)

Mr. MATHIAS of Maryland in five instances.

Mr. GURNEY.

Mr. BROOMFIELD in two instances.

Mr. ASHBROOK in three instances.

Mr. SCHERLE.

Mr. GOODLING.

Mr. COLLIER in four instances.

Mr. CLEVELAND in two instances.

Mr. WYMAN in two instances.

Mr. EDWARDS of Alabama in one instance.

Mr. BURTON of Utah in 10 instances.

Mr. TALCOTT in two instances.

Mr. HUNT.

Mr. HORTON in two instances.

Mr. HARVEY.

Mr. SHRIVER.

Mr. CURTIS.

Mr. RUMSFELD in three instances.

Mr. BRAY in two instances.

Mrs. REID of Illinois in two instances.

Mr. ROBISON.

Mr. DERWINSKI in three instances.

(The following Members (at the request of Mr. PATTEN) and to include extraneous matter:)

Mr. CORMAN.

Mr. OTTINGER.

Mr. GIAIMO.

Mr. WILLIAM D. FORD.

Mr. CASEY in two instances.

Mr. LONG of Maryland in three instances.

Mr. ANNUNZIO.

Mrs. MINK in two instances.

Mr. MARSH.

Mr. FALLON in two instances.

Mr. HENDERSON in two instances.

Mr. FULTON of Tennessee.

Mr. MURPHY of New York.

Mr. LEGGETT in two instances.

Mr. KLUCZYNSKI.

Mr. MOORHEAD in two instances.

Mr. HOWARD in two instances.

Mr. THOMPSON of New Jersey in two instances.

Mr. ULLMAN in two instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in four instances.

Mr. GILBERT in two instances.

Mr. JARMAN in two instances.

Mr. FRASER in two instances.

Mr. PUCINSKI in 12 instances.

Mr. MEEDS.

Mrs. KELLY in four instances.

Mr. DADDARIO.

Mr. RYAN in four instances.

Mr. WHITENER.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 25. An act to authorize the Secretary of the Interior, in cooperation with the States, to conduct an inventory and study of the Nation's estuaries and their natural resources, and for other purposes;

H.R. 10673. An act to amend title III of the Packers and Stockyards Act, 1921, as amended; and

H.R. 18065. An act to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 6. An act to authorize the Secretary of the Interior to construct, operate, and maintain the initial stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes;

S. 1532. An act to require that contracts for construction, alteration, or repair of any public building or public works of the District of Columbia be accompanied by a performance bond protecting the District of Columbia and by an additional bond for the protection of persons furnishing material and labor, and for other purposes; and

S. 3456. An act to provide that the prosecution of the offenses of disorderly conduct and lewd, indecent, or obscene acts shall be conducted in the name of and for the benefit of the District of Columbia.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 16024. An act to extend for 2 years the act of September 30, 1965, relating to high-speed ground transportation, and for other purposes.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 24, 1968, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2078. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1968, submitting a report, together with accompanying papers and an illustration, on an interim report on San Diego Harbor, San Diego, Calif., requested by resolutions of the Committee on Rivers and Harbors of the House of Representatives and the Committee on Public Works, U.S. Senate, adopted March 5, 1946, and August 13, 1958, and is also in partial response to an item in the River and Harbor Act approved March 2, 1945 (H. Doc. No. 365); to the Committee on Public Works and ordered to be printed with an illustration.

2079. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting the first annual report of the activities of the Commission for the year ended December 31, 1967, pursuant to the provisions of Public Law 89-348 (79 Stat. 1312); to the Committee on Foreign Affairs.

2080. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Federal Communications Commission as of May 31, 1968, pursuant to section 5(e) of the Communications Act, as amended, July 16, 1952, by Public Law 554; to the Committee on Interstate and Foreign Commerce.

2081. A letter from the Chairman, Federal Trade Commission, transmitting a copy of the publication entitled "Economic Report on the Banking Industry"; to the Committee on Interstate and Foreign Commerce.

2082. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports on aliens who conditionally entered the United States under section 203(a)(7) of the Immigration and Nationality Act during the 6-month period ending June 30, 1968, pursuant to the provisions of section 203(f) of the act; to the Committee on the Judiciary.

2083. A letter from the Deputy Assistant Secretary of Administration of the Department of the Interior, transmitting a report on grants made during calendar year 1967 to nonprofit institutions and organizations for support of scientific research programs pursuant to section 3 of Public Law 85-934 (72 Stat. 1793, 42 U.S.C. 1891); to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MADDEN: Committee on Rules. House Resolution 1271. Resolution providing for the consideration of H.R. 15045, a bill to extend certain expiring provisions under the Manpower Development and Training Act of 1962, as amended (Rept. No. 1774). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 1272. Resolution providing for the consideration of H.R. 18209, a bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans to supplement farm income and to provide for additional recreation loans, extend the period for water and sewer grants prior to completion of a comprehensive plan, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, remove the annual ceiling on insured loans and for other purposes (Rept. No. 1775). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 1273. Resolution waiving points of order against H.R. 18707, a bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1776). Referred to the House Calendar.

Mr. DULSKI: Committee on Post Office and Civil Service. H.R. 18663. A bill to amend title 39, United States Code, to permit acceptance by postal employees of checks and money orders under certain conditions, to curtail the mailing of certain articles which present a hazard to postal employees or processing machines, to provide for the employment of necessary postal field service personnel, and for other purposes; with amendment (Rept. No. 1777). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. S. 3030. An act to amend section 3 of the act of November 2, 1966, relating to the development by the Secretary of the Interior of fish protein concentrate; with amendment (Rept. No. 1782). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 17361. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the city of Memphis (Rept. No. 1783). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. S. 3671. An act to provide for the striking of medals in commemoration of the 200th anniversary of the founding of Dartmouth College (Rept. No. 1784). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee of conference. S. 3497. An act to assist in the provision of housing for low-and moderate-income families, and to extend and amend laws relating to housing and urban development (Rept. No. 1785). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of New York: Committee on the Judiciary. H.R. 1596. A bill for the relief of Dometrios Konstantinos Georgaras (also known as James K. Georgaras); with amendment (Rept. No. 1778). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. H.R. 3193. A bill for the relief of Reddick B. Still, Jr., and Richard Carpenter; with amendment (Rept. No. 1779). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 9566. A bill for the relief of Francis M. Rogallo and Gertrude S. Rogallo (Rept. No. 1780). Referred to the Committee of the Whole House.

Mr. TENZER: Committee on the Judiciary. H.R. 11255. A bill for the relief of Mae Lama Mining Co., Ltd. (Rept. No. 1781). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLATNIK (for himself, Mr. HOLIFIELD, Mr. ROSENTHAL, Mrs. DWYER, Mr. ERLENBORN, Mr. BROWN of Ohio, and Mr. EDWARDS of Alabama):

H.R. 18826. A bill to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our Federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to permit provision of reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of grants and loans for development assistance, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, and for other purposes; to the Committee on Government Operations.

By Mr. ANDERSON of Tennessee:

H.R. 18827. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

H.R. 18828. A bill to amend title 39, United States Code, to permit acceptance by postal employees of checks and money orders under certain conditions, to curtail the mailing of certain articles which present a hazard to postal employees or processing machines, to provide for the employment of necessary postal field service personnel, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DE LA GARZA:

H.R. 18829. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. FEIGHAN:

H.R. 18830. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. HALL:

H.R. 18831. A bill to amend the Internal Revenue Code of 1954 with respect to the trade or business deduction allowable with respect to travel by automobile; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 18832. A bill to attend the Military Selective Service Act of 1967 to provide for a fair and random system of selecting persons for induction into military service, to provide for the equal application of deferment policies, to authorize an investigation of the feasibility of establishing a volunteer army, and for other purposes; to the Committee on Armed Services.

H.R. 18833. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. PUCINSKI:

H.R. 18834. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. ST. ONGE:

H.R. 18835. A bill to amend section 201 of the Revenue and Expenditure Control Act of 1968; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 18836. A bill to establish in the Department of Health, Education, and Welfare the positions of Deputy Secretary of Health, Education, and Welfare and Under Secretary of Health and Science; to the Committee on Interstate and Foreign Commerce.

By Mr. DON H. CLAUSEN (for himself, Mr. JOHNSON of California, Mr. DELLENBACK, Mr. SISK, Mr. WYATT, Mr. BLANTON, Mr. ADDABBO, Mr. EILBERG, Mr. HANSEN of Idaho, Mr. MCCLURE, Mr. BATTIN, Mr. PELLY, Mr. ULLMAN, and Mr. MYERS):

H.R. 18837. A bill to establish the quantity of unprocessed timber from certain Federal lands which may be sold for export during the calendar years 1968 through 1972; to the Committee on Interor and Insular Affairs.

By Mr. FLOOD:

H.R. 18838. A bill to require congressional approval before a license may be granted for the construction of any facility for the commercial generation of electricity from nuclear energy; to the Joint Committee on Atomic Energy.

By Mr. GRAY:

H.R. 18839. A bill to require congressonal approval before a license may be granted for the construction of any facility for the commercial generation of electricity from nuclear energy; to the Joint Committee on Atomic Energy.

By Mr. HELSTOSKI:

H.R. 18840. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. KING of New York:

H.R. 18841. A bill to amend title 28, United States Code, to establish certain qualifications for persons appointed as judges or justices of the United States; to the Committee on the Judiciary.

By Mr. LANDRUM:

H.R. 18842. A bill to authorize a study for a waterway connecting the Savannah and Tennessee Rivers, and for other purposes; to the Committee on Public Works.

By Mr. NEDZI:

H.R. 18843. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty of any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. ROTH (for himself, Mrs. BOLTON, Mr. DON H. CLAUSEN, Mr. CONABLE, Mr. CORBETT, Mr. ESCH, Mr. FASCELL, Mr. FULTON, of Pennsylvania, Mr. GUBSER, Mr. MCCLORY, Mr. MATSUNAGA, Mr. MOORE, Mr. MORSE, Mr. SAYLOR, Mr. UTT, and Mr. ZION):

H.R. 18844. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. STRATTON:

H.R. 18845. A bill to amend the Service Contract Act of 1965 to make its provisions applicable to all service contracts, whenever entered into; to the Committee on Education and Labor.

By Mr. ULLMAN (for himself, Mr. FOLEY, Mr. JOHNSON of California, Mr. MCCLURE, Mr. HANSEN of Idaho, Mr. OLSEN, Mr. MEEDS, Mr. WYATT, Mr. DELLENBACK, Mrs. GREEN of Oregon, and Mr. SISK):

H.R. 18846. A bill to license the export of softwood logs from Federal lands; to the Committee on Agriculture.

By Mr. BATTIN:

H.R. 18847. A bill to license the export of softwood logs from Federal lands; to the Committee on Agriculture.

By Mr. DOLE:

H.R. 18848. A bill to amend the Military Selective Service Act of 1967 with respect to occupational and student deferments, physical and mental standards for induction, and for other purposes; to the Committee on Armed Services.

By Mr. HOWARD:

H.J. Res. 1415. Joint resolution proposing an amendment to the Constitution to provide for the direct election of the President

and the Vice President; to the Committee on the Judiciary.

By Mr. ICHORD:

H.J. Res. 1416. Joint resolution to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. GOODELL (for himself and Mr. FASCELL):

H. Con. Res. 801. Concurrent resolution listing operating Federal assistance programs as compiled during the Roth study; to the Committee on House Administration.

By Mr. HAYS:

H. Res. 1274. Resolution relating to the management of the House restaurant and the cafeteria and other food service facilities of the House of Representatives; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and several referred as follows:

By Mr. ADAMS:

H.R. 18849. A bill for the relief of Carmine Preziuso; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 18850. A bill for the relief of Joseph J. Morris; to the Committee on the Judiciary.

H.R. 18851. A bill for the relief of Ahuva Ovadia; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 18852. A bill for the relief of Takehiko Oda; to the Committee on the Judiciary.

H.R. 18853. A bill for the relief of Catalina Rubang Villaluz; to the Committee on the Judiciary.

H.R. 18854. A bill for the relief of Nemesio Berino Gubatan, Jr., and his wife, Perla Santos Gubatan; to the Committee on the Judiciary.

H.R. 18855. A bill for the relief of Chizuko Hanai; to the Committee on the Judiciary.

H.R. 18856. A bill for the relief of Peggy Moran (nee Miles); to the Committee on the Judiciary.

H.R. 18857. A bill for the relief of Roger David Scullion; to the Committee on the Judiciary.

H.R. 18858. A bill for the relief of Helen E. Zamora; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 18859. A bill for the relief of Angelo Ferrante; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 18860. A bill for the relief of Genowefa Pogoda; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 18861. A bill for the relief of Mrs. Iran Sheedfar; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 18862. A bill for the relief of Bernd Quandt; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 18863. A bill for the relief of Louise Adda Phillips; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 18864. A bill for the relief of Mrs. Antonina Alabiso, Filippo Alabiso, and Giovanni Alabiso; to the Committee on the Judiciary.

H.R. 18865. A bill for the relief of Leonarda Bongiorno; to the Committee on the Judiciary.

H.R. 18866. A bill for the relief of Betty Diaz y Ferrero; to the Committee on the Judiciary.

H.R. 18867. A bill for the relief of Filippo Morici; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 18868. A bill for the relief of Melmet, Emel, and Ahmet Sidali; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 18869. A bill for the relief of Rosalinda Misagal; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 18870. A bill for the relief of Norberto B. Santos; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 18871. A bill for the relief of Luis Salvago-Toledo; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 18872. A bill for the relief of Miss Ahuva Ovadia; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 18873. A bill for the relief of Nehmetallah Youssef Khouri; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 18874. A bill for the relief of Miss Giuseppa Bulla; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 18875. A bill for the relief of Eustathios Tsiabouris and his wife, Maria Tsiabouris, to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 18876. A bill for the relief of Caterina Messina; to the Committee on the Judiciary.

By Mr. WALKER:

H.R. 18877. A bill for the relief of Dr. Jagir Singh Randhawa; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 18878. A bill for the relief of Irini Chalmoukis; to the Committee on the Judiciary.

SENATE—*Tuesday, July 23, 1968*

The Senate met at 12 noon, and was called to order by the Acting President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, who art righteous in all Thy ways and holy in all Thy works, whose kingdom is an everlasting kingdom, and whose dominion endureth throughout all generations, and yet who art nigh unto all them that call upon Thee in truth.

All that is highest and deepest in our own lives finds its source in the living fountain of Thine own being:

For every virtue we possess
And every victory won,
And every thought of holiness
Are Thine alone.

Speak to our hearts when courage fails and men faint for fear and the love of many grows cold and there is distress among the nations of the earth.

Keep us resolute and steadfast in the things that cannot be shaken. Restore our faith in the omnipotence of good; and may we see beyond the seen and temporal things unseen and eternal.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, July 22, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1532. An act to require that contracts for construction, alteration, or repair of any public building or public work of the District of Columbia be accompanied by a performance bond protecting the District of Columbia and by an additional bond for the protection of persons furnishing material and labor, and for other purposes; and

S. 3456. An act to provide that the prosecution of the offenses of disorderly conduct and lewd, indecent, and obscene acts shall be conducted in the name of and for the benefit of the District of Columbia.

The message also announced that the House had passed the following bills, each with an amendment, in which it requested the concurrence of the Senate:

S. 1224. An act to establish a register of blind persons in the District of Columbia, to provide for the mandatory reporting of information concerning such persons, and for other purposes; and

S. 1228. An act to authorize projects grants for construction and modernization of hospitals and other medical facilities in the District of Columbia.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 25) to authorize the Secretary of the Interior, in cooperation with the States, to conduct an inventory and study of the Nation's estuaries and their natural resources, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 10673) to amend title III of the Packers and Stockyards Act, 1921, as amended.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 13781) to amend title II of the Marine Resources and Engineering Development Act of 1966, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LENNON, Mr. ROGERS of Florida, Mr. DOWNING, Mr. MOSHER, and Mr. PELLY were