

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BRADLEY: S. 1640. A bill to prohibit the possession and transfer of non-sporting handguns, and for other purposes; to the Committee on the Judiciary.

By Mr. GRAMS (for himself and Mr. PRESSLER): S. 1641. A bill to repeal the consent of Congress to the Northeast Interstate Dairy Compact, and for other purposes; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BRADLEY:

S. 1640. A bill to prohibit the possession and transfer of nonsporting handguns, and for other purposes; to the Committee on the Judiciary.

THE DOMESTIC SATURDAY NIGHT SPECIAL ACT OF 1996

Mr. BRADLEY. Mr. President, I rise today to introduce a measure designed to ban the sale and possession of domestic Saturday night specials, which are inexpensive, short-barreled—4" or shorter, easily concealed handguns that are made from inferior materials and lack any sporting purpose. These handguns have flooded the black market and are disproportionately used in violent criminal activity. These weapons are poorly made, unreliable and, in some cases, unsafe. They are cheap to build, cheap to purchase, and are roughly 3.4 times more likely to be involved in violent crimes than are handguns from other major manufacturers. Their destructive impact on the lives of American citizens must be stopped.

Mr. President, in the aftermath of the assassinations of Robert F. Kennedy and Martin Luther King, Jr., Congress passed the Gun Control Act of 1968, which targeted small caliber, easily concealable, and poorly made imported handguns named Saturday night specials. It was Congress' intent to eliminate imported guns which were believed to be disproportionately involved in crime. Specifically, the legislation banned the importation of handguns not particularly suitable for or readily adaptable to sporting purposes. Congress, however, exempted domestic manufacturers from the legislation, resulting in the creation of a protected domestic industry that produces and markets small, poorly made, easily concealable handguns.

Today, Mr. President, six handgun manufacturers in southern California dominate the production of Saturday night specials. In 1992, they made over 80 percent of the .25 ACP, .32 ACP, and .380 ACP pistols manufactured in this country. Indeed, in 1992 these companies manufactured 685,934 handguns, or 34 percent of all handguns made in the United States. According to 1993 figures, one of the Saturday night special

manufacturers, Lorcin Engineering Inc., is the leading pistol manufacturer in America.

In 1968, "the American Rifleman"—a publication of the National Rifle Association, in arguing in favor of a ban on Saturday night special imports, noted that such weapons were "miserably made, potentially defective arms that contribute so much to rising violence." This statement is equally applicable today to domestically manufactured Saturday night specials.

The carnage and killing that occur in our Nation's towns and cities are directly related to the proliferation of these weapons of destruction on the streets of America. According to a Wall Street Journal investigation, these pistols are purchased in bulk at retail by illegal dealers and smuggled by bus or train to urban centers for resale on the street.

Once they reach the streets, domestic Saturday night specials, which sell for as low as \$35, are the starter guns of choice for criminals and the very young. For example, in 1990, a 5-year-old from the Bronx, NY, carried in his pocket a loaded domestic Saturday night special to kindergarten. In 1992, a 15-year-old aimed a domestic Saturday night special from the roof of a New York apartment building and shot a policeman in the ankle.

Mr. President, these guns are disproportionately used in robberies and murders. From 1990 to 1992, the Bureau of Alcohol, Tobacco and Firearms [ATF] traced approximately 24,000 handguns sold after 1986 and used in murders and other crimes. Saturday night specials produced by three southern California companies accounted for 27 percent of the traces, as compared to 11 percent for the much larger Smith and Wesson Company. According to the Wall Street Journal, police in Houston confiscated nearly 1,000 guns used in crimes in 1991. Three Saturday night specials produced by southern California companies—the Raven .25 ACP, the Davis .380 ACP, and the Davis .32 ACP—ranked as the top three guns confiscated. The same year in Cleveland, police confiscated more than 2,000 handguns; the Raven .25 ACP ranked second.

The Washington Post reported in June 1994 that of all 21,744 guns seized at crime scenes and traced by ATF during 1991 through 1993, an astounding 62 percent—or 13,559 handguns—were produced by a southern California manufacturer of Saturday night specials. ABC television's "Day One" reported that in 1994, the Lorcin .380 ACP was the single firearm most frequently submitted to ATF for tracing. Thus, there is no question that these weapons are the weapons of choice of criminals.

Of significant concern is also the threat that these guns pose to law enforcement. The single gun with the greatest number of police homicides per number of guns in circulation is the .32 caliber pistol. As of 1992, nearly 90 percent of these guns were manufac-

tured by the southern California gun makers. Mr. President, for the sake of the American public and the law enforcement community, it is time that Congress take action to get these killing machines off the streets of America.

Mr. President, under the 1968 Gun Control Act, ATF has developed an elaborate scheme to determine whether foreign firearms should be classified as Saturday night specials. To gain entry into the U.S. market, imported guns must meet minimum size and safety specifications and pass a battery of individual design, performance, and materials standards. The ATF classification scheme considers the quality of the metal used to construct the weapon, as well as the combined height and length, weight, caliber, safety features, and accessory features of the weapon. By the mid-1970's, ATF estimated that over half of all of the handguns produced domestically could not legally have been imported.

Domestic Saturday night specials are cheaply made and unreliable. Large domestic handgun manufacturers—such as Smith and Wesson—produce small quantities of guns because their production process is labor intensive. On average, these guns retail for \$600. By contrast, the Saturday night specials are assembled in mere minutes using cheap materials, yielding high volumes that sell for as little as \$35 per gun. The results are predictable. For example, the zinc alloy used in many of the Saturday night specials is so soft that it can be shaved with a knife. Moreover, the alloy begins to distort at 700 degrees Fahrenheit, compared to 2,400 degrees for the stainless steel in quality guns.

In addition, while the Saturday night specials typically have minimal safety devices that block the trigger from being pulled, they lack safety equipment found on higher quality guns, such as firing pin blocks that help prevent accidental discharge. Indeed, officials at ATF have indicated that the Raven .25 ACP pistol produced by one of the southern California companies can discharge if it is loaded and dropped to the floor, thereby failing ATF's drop test. The quality and reliability of domestic Saturday night specials is so atrocious that Edward Owen, Jr., Chief of the Firearms Technology Branch at ATF, has stated: "If someone gave me one as a gift, I would throw it away."

The unreliability of these guns, Mr. President, highlights the fact that they have no sporting purpose and cannot be depended on for self-defense. This fact was illustrated in a May 1994 segment of ABC television's "Day One". A Colorado Springs gun shop owner is firing one of the domestic Saturday night specials when it jams. As she attempts to clear the weapon, the correspondent asks her what would happen at that moment if she was relying on the gun for protection. She answers, "Well, I just got killed."

In independent tests of domestic Saturday night specials by "Gun Tests", Lorcin's .22 caliber pistol, the L-22, was found unacceptable. In test firing, evaluators "experienced 20 misfires due to light firing-pin strikes and 36 failures to completely lock into battery, and—the gun—failed to feed truncated-nose ammunition about 25 percent of the time." Indeed, according to the Wall Street Journal, many gun-store owners have decided not to sell domestic Saturday night specials because "the quality is too poor, replacement parts are too hard to obtain, and the dollar profit per gun is too small."

Mr. President, since these weapons are useless for self-defense and have no sporting purpose, the present legislation would apply the Gun Control Act of 1968 to domestic Saturday night specials, thereby banning the possession and sale of these weapons shipped or transported in interstate or foreign commerce. Specifically, the present ATF import classification scheme—which considers the quality of the metal used to construct the weapon, as well as the combined height and length, weight, caliber, safety features and accessory features of the weapon—would be applicable to domestic Saturday night specials.

Mr. President, the focus of this bill is to ban inexpensive, short-barreled, easily concealed handguns that are made from inferior materials and lack any sporting purpose. Thus, this legislation would not ban high quality, domestic snub-nosed revolvers and derringers containing adequate safety features that would otherwise be banned because of their size. Moreover, this legislation would exempt from coverage those high quality, domestic handguns that meet the overall ATF size requirement, but would otherwise fail the ATF test because of their light weight and low caliber.

Mr. President, the Justice Department recently released a report concluding that 86 percent of all firearm-related crimes occurring in 1993 were carried out with a handgun. This represents an 18 percent increase from 1992. Also, of the more than 24,500 murders in 1993, 16,189—(70 percent)—were committed with firearms, and four out of every five firearm murders involved the use of a handgun. The evidence is clear that domestic Saturday night specials—inexpensive, poorly made handguns that lack any sporting purpose—are disproportionately involved in criminal activity and pose a significant threat to the safety of American citizens. Mr. President, it is time to stop the carnage in our Nation's streets caused by these killing machines.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1640

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Domestic Saturday Night Special Act of 1996".

SEC. 2. PROHIBITION AGAINST POSSESSION OR TRANSFER OF NON-SPORTING HANDGUNS.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended by adding at the end the following:

"(y)(1) It shall be unlawful for any person to possess or transfer a non-sporting handgun that has been shipped or transported in interstate or foreign commerce.

"(2) Paragraph (1) shall not apply to the possession of a sporting handgun, or the continuous and otherwise lawful possession of a non-sporting handgun by a person during any period that began before the effective date of this subsection.

"(3) Paragraph (1) shall not prohibit the sale and transfer if—

"(A) a revolver with a barrel length of not less than 2 inches, if such revolver could otherwise be imported into the United States on the basis of a determination by the Secretary under section 925(d)(3); or

"(B) a handgun which, if designed to use a larger caliber ammunition, could otherwise be imported into the United States on the basis of a determination by the Secretary under section 925(d)(3)."

"(b) NON-SPORTING HANDGUN DEFINED.—Section 921(a) of such title is amended by adding at the end the following:

"(33)(A) The term 'non-sporting handgun' means—

"(i) a firearm that—

"(I) is designed to be fired by the use of a single hand; and

"(II) is not a sporting handgun; and

"(ii) any combination of parts from which a firearm described in clause (i) can be assembled.

"(B) The term 'sporting handgun' means a firearm that—

"(i) is designed to be fired by the use of a single hand; and

"(ii) the Secretary has determined, using the criteria applied in making determinations under section 925(d)(3), to be of a type generally recognized as particularly suitable for or readily adaptable to sporting purposes."

(c) PENALTY.—Section 924(a)(1)(B) of such title is amended by striking "or (w)" and inserting "(w), or (y)".

AMENDMENTS SUBMITTED

THE PRESIDIO PROPERTIES ADMINISTRATION ACT OF 1996

MURKOWSKI AMENDMENT NO. 3564

Mr. MURKOWSKI proposed an amendment to the bill (H.R. 1296) to provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer; as follows:

In lieu of the matter proposed, to be inserted, insert the following:

TITLE I—THE PRESIDIO OF SAN FRANCISCO

SECTION 101. FINDINGS.

The Congress finds that—

(1) the Presidio, located amidst the incomparable scenic splendor of the Golden Gate,

is one of America's great natural and historic sites;

(2) the Presidio is the oldest continuously operated military post in the Nation dating from 1776, and was designated a National historic Landmark in 1962;

(3) preservation of the cultural and historic integrity of the Presidio for public use recognizes its significant role in the history of the United States;

(4) the Presidio, in its entirety, is a part of the Golden Gate National Recreation Area, in accordance with Public Law 92-589;

(5) as part of the Golden Gate National Recreation Area, the Presidio's significant natural, historic, scenic, cultural, and recreational resources must be managed in a manner which is consistent with sound principles of land use planning and management, and which protects the Presidio from development and uses which would destroy the scenic beauty and historic and natural character of the area and cultural and recreational resources;

(6) removal and/or replacement of some structures within the Presidio must be considered as a management option in the administration of the Presidio; and

(7) the Presidio will be managed through an innovative public/private partnership that minimizes cost to the United States Treasury and makes efficient use of private sector resources.

SEC. 102. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF THE INTERIOR.

(a) INTERIM AUTHORITY.—The Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") is authorized to manage leases in existence on the date of this Act for properties under the administrative jurisdiction of the Secretary and located at the Presidio. Upon the expiration of any such lease, the Secretary may extend such lease for a period terminating not later than 6 months after the first meeting of the Presidio Trust. The Secretary may not enter into any new leases for property at the Presidio to be transferred to the Presidio Trust under this Title, however, the Secretary is authorized to enter into agreements for use and occupancy of the Presidio properties which are assignable to the Trust and are terminable within 30 days notice by the Trust. Prior to the transfer of administrative jurisdiction over any property to the Presidio Trust, and notwithstanding section 1341 of title 31 of the United States Code, the proceeds from any such lease shall be retained by the Secretary and such proceeds shall be available, without further appropriation, for the preservation, restoration, operation and maintenance, improvement, repair and related expenses incurred with respect to Presidio properties. The Secretary may adjust the rental charge on any such lease for any amounts to be expended by the lessee for preservation, maintenance, restoration, improvement, repair and related expenses with respect to properties and infrastructure within the Presidio.

(b) PUBLIC INFORMATION AND INTERPRETATION.—The Secretary shall be responsible, in cooperation with the Presidio Trust, for providing public interpretive services, visitors orientation and educational programs on all lands within the Presidio.

(c) OTHER.—The lands and facilities within the Presidio that are not transferred to the administrative jurisdiction of the Presidio Trust shall continue to be managed by the Secretary. The Secretary and the Presidio Trust shall cooperate to ensure adequate public access to all portions of the Presidio. Any infrastructure and building improvement projects that were funded prior to the enactment of this Act shall be completed by the National Park Service.

(d) PARK SERVICE EMPLOYEES.—(1) Any career employee of the National Park Service,