SENATE—*Friday, September 13, 1968*

The Senate met at 11 a.m., and was called to order by Hon. PAUL J. FANNIN, a Senator from the State of Arizona.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, Father of our spirits, with a faith that will not shrink though pressed by every foe, we would this day climb the altar steps which lead through darkness up to Thee, for our greatest need is of Thee.

In the crises of our times join us with those who, across the waste and wilderness of human hate and need, preparing the way of the Lord, throw up a highway for our God.

God the All-righteous, man hath defied Thee. Yet to eternity standeth Thy word; falsehood and wrong shall not tarry beside Thee. Give to us peace in our time, O Lord, that the sundered family of mankind at last may be bound by golden cords of understanding fellowship around the feet of the one God.

In the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 13, 1968.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. PAUL J. FANNIN, a Senator from the State of Arizona, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. FANNIN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, September 12, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2515) to authorize the establishment of the Redwood National Park in the State of California, and for other purposes.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, in view of the fact that in the Chamber at this time is the distinguished majority leader of the House, the Honorable CARL ALBERT, and inasmuch as his presence fits in with the business of the Senate, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF JUSTICE

The assistant legislative clerk read the nomination of William J. Holloway, Jr., of Oklahoma, to be U.S. circuit judge, 10th circuit.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Lawrence Gubow, of Michigan, to be U.S. district judge for the eastern district of Michigan.

Mr. GRIFFIN. Mr. President, it is a pleasure to indicate my support for the nomination of Mr. Lawrence Gubow of Detroit, Mich., to be U.S. district judge for the eastern district of Michigan.

Mr. Gubow has had a distinguished career as an attorney. Educated at the University of Michigan and its law school, he was admitted to the Michigan bar in 1951. Subsequently, he served as an attorney with the Detroit law firm of Rosin & Kobel.

In 1953, Mr. Gubow joined the Michigan Corporation and Securities Commission and was chosen its commissioner in 1956. He served as commissioner until 1961, when he was appointed U.S. attorney for the eastern district of Michigan, the postion he now holds.

Mr. Gubow serves as president of the Jewish Community Council of Metropolitan Detroit, and he is a leader in the Jewish War Veterans of the U.S.A. and various Michigan veterans groups.

I know Mr. Gubow as an able and highly qualified member of the bar and as a widely respected public servant. He has bipartisan support for his nomination, and I am confident that he will make an outstanding judge.

Mr. President, I am pleased to recommend that the Senate advise and consent to the nomination of Lawrence Gubow.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for an additional 5 minutes at this time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE SITUATION IN CZECHOSLOVAKIA AND U.S. FORCES IN EUROPE

Mr. MANSFIELD. Mr. President, many words have been spoken in the Senate about the Soviet invasion of Czechoslovakia. Many others will be spoken. This action was an outrageous affront to the people of that nation and a grave blow to international stability.

Over half a million troops are reported on the move in Central Europe. Great numbers are involved in occupying a small country against its will. They cast a long shadow over the prospects for a peaceful Europe. They dim the hopes of people everywhere for a more peaceful world.

In these remarks, I will not dwell on the various adverse implications of the recent developments in Czechoslovakia. In due course, a report on that subject will be forthcoming in consequence of a brief visit I made to Eastern Europe during the recent adjournment of the Senate. In these remarks, today, I will touch on only one aspect of the subject—the question of American force reductions in Western Europe, in the aftermath of the Czechoslovakia crisis.

Immediately after the Soviet invasion, I stated that there would be no point in continuing to advocate an immediate reduction in the level of these forces. I made that statement with resignation and sadness.

A reduction would have saved American taxpayers hundreds of millions of dollars, over the next few years. It would have had a significant corrective effect on this Nation's distorted balance of international payments. It would have helped to restore relationships with the countries of Western Europe to a normal basis; the continued presence of hundreds of thousands of American troops, along with a great number of dependents' homesteads on Western European soil, is, per se, an abnormal relationship.

I believe, moreover, that step-by-step reductions of our forces in Europe would have led the Western Europeans to assume a larger share of the burden of their own defense which, in turn, may well have resulted in closer cooperation among them. I believe, too, that it would have contributed to reducing the danger of catastrophic error which necessarily attends the presence of hundreds of thousands of foreign troops confronting hundreds of thousands of other foreign troops across a tense dividing line. Finally, reductions of our forces in Western Europe would have increased the pressures for and may well have brought about reductions of Soviet forces in the

Eastern European countries, with or without negotiations to that end.

The Soviet invasion of Czechoslovakia has had the effect of deferring these results. How long they will remain deferred depends, in great part, on the disposition which the Soviet Government and its Warsaw Pact allies, Rumania excepted, may make of the occupation forces now in Czechoslovakia.

We can hardly make substantial reductions in U.S. forces in Western Europe while the Soviets have vastly increased their forces in Eastern European countries and have done so, furthermore, in connection with the military steamrollering of the independence of a small country. To be sure, reductions in our forces, even now, would not lessen, in any way, our responsibility under the North Atlantic Treaty to join in the common defense against an attack on Western Europe and the regions covered by the North Atlantic Treaty. Those responsibilities would be met in the event of an attack, not only because they are treaty obligations, but also because they are inescapable responsibilities in terms of our own survival. They would be met whether the U.S. forces which were encamped in Western Europe at the time of an attack numbered one division or 10 divisions.

Nevertheless, a reduction in the U.S. contingents in Europe in present circumstances could be subject to misinterpretation in both West and East, and might conceivably lead to serious miscalculations. That is a risk which, it seems to me, we would be unwarranted in taking at this time, in our interests and in the interests of peace. It was that risk which led me to suggest a temporary deferment of the question.

However, my views on the anachronistic size of the deployment of American forces and dependents in Europe have not changed. Certainly, I do not believe that the number of these Americans should be increased at this time, as some have suggested. Moreover, in my judgment, it remains desirable to undertake a gradual reduction in U.S. forces if and when the situation in Eastern Europe offers reasonable assurance that developments there are not going to spill over into Western Europe. If and when that time comes, I believe a positive plan should be ready to cut American forces in Europe. It should be a plan, phased over several years—perhaps on what might be termed a D plus D basis—that is, the withdrawal of one division of men with their dependents each year. That reduction, in my judgment, should continue until the force levels remaining would be sufficient only to insure that military aggression from any source would enable the United States promptly to set in motion its immense powers for the common defense of the nations of the North Atlantic Pact. In the light of modern military technology, the five or six U.S. divisions which are now stationed in Europe are hardly required for that purpose. In due course, it seems to me that the number could be reduced to one or at most two.

I would like to make it plain that I believe that there has been a dereliction in the failure to have set in motion, heretofore, positive plans to bring about orderly, phased reductions in the European deployment. Indeed, some of us have been urging these reductions for more than a decade. The reiterated response, however, has been that "the time is not right." The time will never be right unless there is the will to face up to this situation.

Even now, the time is right for a search for substantial savings in the cost of the European deployment. Events in Eastern Europe notwithstanding, possibilities of economy may well exist in streamlining the superstructures at the various U.S. headquarters in Europe. It is appropriate to ask, for example, whether they are not topheavy with high-ranking officers, staffs, and prerogatives, at the European Command at Stuttgart, the U.S. Air Force headquarters in Europe at Wiesbaden, the European communications headquarters at Zweibrucken, or the headquarters of the commander in chief, U.S. Naval Forces in London. Substantial cuts, long overdue, have already been made in U.S. civil establishments abroad on orders of retrenchment from President Johnson. It would be eminently desirable if the same orders might now be applied forthwith to the military entrenchments in Western Europe.

Had there been a timely reduction of forces in Western Europe, it would have already saved large sums of public money and contributed greatly to the strengthening of our international financial situation.

May I say that I do not see how timely reductions in our forces would have impaired the defense of Western Europe. Nor do I see—had they been made some time ago, as urged time and again—how they would have had any effect on the present situation in Czechoslovakia. Certainly, the presence of these forces, in full NATO complement, as they are now, has added nothing to our ability to respond to events in that nation. Indeed, we would do well to ask ourselves if, on August 21, we had had three times the number of men we now have in Western Europe or, for that matter, if we had had only one-third the number, what difference it would have made in our reactions to the developments in Czechoslovakia.

The fact is that NATO was formed to defend Western Europe and associated nations in the North Atlantic Treaty against attack. It was not designed to defend a Warsaw Pact nation against an attack from within that group. Though we may deplore the occupation of Czechoslovakia, the tragic event has not fallen—as it has developed to date—within the area of our shared military responsibility under NATO. Much less does it come within an area of unilateral U.S. responsibility.

On the subject of responsibility, I should like to emphasize, in closing, the importance which many Americans attach to Western Europe's responsibility to increase its own defense efforts—relative to our own—in NATO. It is not helpful to the common undertaking when Western European defense budgets drop to levels disproportionate to our own, when the number of men in the uniforms of Allied nations decline, when the periods of conscription are shortened or abolished, and other evidence presents itself of a reluctance on the part of Europeans to make sacrifices for their own defense. It makes Senators who ask their constituents to pay higher taxes to cover increased defense costs and who vote the conscription of young Americans for terms of obligated service which are equaled in length among the NATO members only in Greece, Turkey, and Portugal—it makes us question policies that require these sacrifices of our people when others seem unwilling to make equivalent sacrifices for themselves.

I reiterate, therefore, that while events in Czechoslovakia may counsel a temporary wait and see with respect to the present level of the American NATO contingent and dependents in Europe, these events do not cancel the validity of the concept of phased reductions. The fact is that the invasion of Czechoslovakia has not changed, in any way, two basic elements in the proposal for such reductions which the Senate has had under consideration for some time.

First. This Nation has budgetary and balance-of-payments difficulties at a time when the Western European nations are more able than ever before to meet added costs of defense. Indeed, the West Germans have a balance-of-payments surplus of several billion dollars a year, a level so high that some West Germans describe it as "embarrassing."

Second. Our forces are in Europe for the defense of the NATO countries against the threat of military attack from the East. Yet, despite Czechoslovakia, there is little indication that the other NATO nations regard this threat as drastic enough to stimulate any significant increase in financial and other sacrifices for their own defense. Events in Eastern Europe notwithstanding, if the NATO countries are unwilling to make the sacrifices and our present financial plight is prolonged, pressures for a reduction of American forces in Europe may be expected to resume promptly—and properly so.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SYMINGTON. Mr. President, I congratulate the able majority leader, and agree without reservation to his statement this morning.

Recently a representative of the German Government called on us. The able majority leader has expressed my sentiments so well I shall send a copy of his address to that fine gentleman.

I hope our State Department realizes that there is a large and growing feeling in the Senate that concurs with these remarks just made; and hope also that our allies in Europe realize the respect we have and the American people have, for this Member of this body who knows so much about our foreign policy and who has just returned from Europe.

As one who was in the executive branch at the time of the creation of NATO and the formation of SHAPE, I watch with apprehension the lack of responsibility, apparently, of countries which

now have a crisis in their own backyards. I hope they take to heart the wise observations of our majority leader this morning. This should be a joint defense in Europe, and one set up on a realistic basis; else it can only fail.

Mr. MANSFIELD. Mr. President, I wish to express my thanks to the senior Senator from Missouri who has been a leader in the fight, for more years than I care to remember, in trying to bring about a readjustment of policy vis-a-vis our relations with our European allies. The Senator has been an inspiration to us all in this matter.

Mr. DODD. Mr. President, the distinguished majority leader is always wise in his thoughts and I am always anxious to hear what he has to say. I look forward to reading his speech in the RECORD.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR DODD

Mr. DODD. Mr. President, I ask unanimous consent that at the close of the morning business and when the Senate takes up the pending business I be recognized for such time as may be required.

Mr. JAVITS. Mr. President, reserving the right to object, and I shall not object, I wish to call the attention of the majority leader to this matter. We have before us a request for priority of recognition for as much time as the Senator requires.

Mr. MANSFIELD. Does the Senator from Connecticut ask to be recognized in the morning hour?

Mr. JAVITS. After the morning hour. The request blocks everybody from speaking, and the Senator could take 3 days.

Mr. DODD. I shall not be that long.

Mr. JAVITS. Will the Senator put a limit on the request?

Mr. DODD. I have no intention of preventing anyone from speaking.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from Connecticut [Mr. DODD] be recognized immediately after the conclusion of routine morning business and after the pending business is laid before the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. I have a 15-minute speech in connection with the Fortas nomination. The Senator is acquainted with my problem. The Senator will accommodate me, will he not?

Mr. DODD. I shall. My interest is in expediting the pending business. I did not put a time limitation on my request for the purpose of prolonging anything.

INCOME TAX REFORM ESSENTIAL

Mr. YOUNG of Ohio. Mr. President, we Americans bear an extremely heavy income tax burden. Our Internal Revenue laws are unfair. There must be income tax reform. Laws should be simplified, tax loopholes closed, and special privileges to the ultrarich denied.

Last year, 37 Americans with incomes of more than a half million dollars paid no income taxes whatever on their stupendous incomes. They owned many millions of dollars worth of tax-free bonds and took advantage of every tax loophole available. In 1967 20 persons whose incomes exceeded $1 million each for that year paid no income taxes whatever for the previous year, nor for 1967. These superrich taxpayers claim charitable exemptions. Some create so-called charitable foundations. Unfortunately, we ordinary taxpayers must pay more as these ultrarich do not pay their fair share.

During recent years, extremely wealthy men and women purchase and operate "Gettysburg farms" and then claim tax losses from farming. This can be a device to cut down taxes on nonfarm income. Of course, the land values of their farms increase tremendously year after year, but our State and Federal Governments receive very little increased taxes for that.

Middle-class wage earners and many business and professional men bear the burden of almost intolerable taxes while those of great wealth buy tax-free bonds, or large farms which are really showplaces in many instances, or take advantage of various available tax loopholes.

Another tax loophole is the 27½-percent depletion allowance for oil and gas producing companies and the 23-percent depletion allowance for some 41 other minerals produced. The oil depletion allowance, in particular, has always appeared indefensible since the time in 1949 when I served on the Ways and Means Committee. I have, since that period, consistently voted to reduce it or abolish the allowance altogether. In 1967, five of the largest oil and gas producing corporations in the United States with net profits approximating $6 billion paid only 9 percent in taxes to our good Uncle Sam. This, due to the depletion allowance. This, at a time when individual Americans with modest earnings are shelling out at least one-fourth of their incomes in taxes, or having wages deducted to that extent.

Mr. President, it should be a most important duty of the 91st Congress convening next January to provide real and needed tax reform.

FORTAS-THORNBERRY AND THE AMERICAN BAR ASSOCIATION

Mr. GRIFFIN. Mr. President, although the Constitution provides that Supreme Court Justices are to be appointed "with the advice and consent of the Senate," strangely enough, it seems to be the opinion of many that the "advice and consent of the American Bar Association"—not the Senate—is all that should be required.

Apparently, we have arrived at a point where even some leaders of the bar refuse to recognize the Senate constitutional responsibility in the appointing process.

During the recent ABA convention in Philadelphia, Joseph A. Ball, president of the American College of Trial Lawyers, was quoted as follows:

> Let's repudiate those lunatics (in the Senate who questioned Justice Fortas) . . . they are not fit to tie Justice Fortas' shoes. (*Syracuse* (*N.Y.*) *Herald-American*, August 11, 1968).

Over and over again, a refrain is heard that the Senate should routinely confirm the pending Supreme Court nominations because, after all, the ABA has determined that the nominees are "qualified."

In view of all this, I believe it is necessary and appropriate for the Senate to take a close look at the role of the ABA and the procedures it has followed in passing judgment on the pending nominations.

Frankly, as one member of the ABA, I was shocked to learn—and I believe many of my 133,000 fellow members will be shocked to learn—about the way ABA approval came about in the case of the Fortas-Thornberry nominations.

First. It should be understood, first of all, that these nominations have never been approved by the ABA membership or by its governing body, the house of delegates. The only approval has come from the ABA's Committee on the Federal Judiciary.

Second. Most of the members of the 12-man ABA Committee on the Federal Judiciary had no knowledge whatsoever of the Fortas-Thornberry nominations until about 7 a.m. on the morning of June 26, the very day the President publicly announced his appointments.

Third. On that morning, the committee "met"—if that is the proper term—by means of a telephone conference call which lasted the better part of 1 hour. During this conference call the committee members were informed of the President's intention, and they were advised of investigative reports on the nominees.

Fourth. The investigation of Mr. Thornberry was conducted by Leon Jaworski, of Houston, Tex., a close associate for many years of President Johnson. Mr. Jaworski, although not a member of the committee, participated in the conference call meeting.

Fifth. Since that time, Mr. Jaworski has been quoted as saying he was asked to investigate Judge Thornberry "because I knew him better than the others."

Sixth. Although it has been reported that committee approval was unanimous, I am advised that at least one member of the committee had no knowledge whatsoever of the conference call and took no part in any vote on the nominees.

In view of such circumstances, I wonder what weight the members of the U.S. Senate are expected to assign to the oft-cited approval by the American Bar Association of the Fortas-Thornberry nominations.

After all, we are not picking an all-America backfield or deciding whether Mickey Mantle should be on the all-star team. As U.S. Senators, we are called upon to exercise a constitutional responsibility which affects the whole fabric of American society for generations to come.

What weight should be given to the recommendations of Mr. Jaworski? According to the New York Times of August 3, 1968, Mr. Jaworski is "a former attorney for President Johnson, who has been associated with Mr. Johnson for years."[1] Could he reasonably have been expected to report unfavorably on a Presidential selection under such circumstances?

Why was the ABA committee given so little time in which to consider such important nominations? As I understand it, the committee generally takes much more time—often a week—to consider nominations to lower court positions.

Of course, it is not the function of Congress to effect reforms in the procedures of a private professional organization. But the Senate should take note of such procedures as well as the fact that widespread misunderstanding seems to have grown up concerning the role of the ABA in such matters.

In fairness, I should emphasize that the ABA committee on the Federal judiciary has acknowledged limitations on its role. For example, letters from the chairman of the committee, Albert E. Jenner, to Senator EASTLAND—see pages 1, 69 of the hearings on nominations of Fortas and Thornberry—transmitting the committee's recommendation with respect to Messrs. Fortas and Thornberry contain this statement:

> Our responsibility is to express our opinion *only on the question of professional qualifications* which includes, of course, consideration of age and health, and of such matters as temperament, integrity, trial and other experience, education and demonstrated legal ability. *It is our practice to express no opinion at any time with regard to any other consideration not related to such professional qualifications which may properly be considered by the appointing or confirming authority.*

Clearly, in its own letters, the ABA committee recognizes that the confirming authority—the Senate—may properly take into account other considerations not related to professional qualifications.

Under the circumstances, it is difficult to understand why some ABA leaders criticize the Senate when it sees fit to exercise its constitutional responsibility by looking at matters outside the mere professional qualifications of a nominee.

Of course, even in the limited area to which ABA approval is applicable, there is no obligation on the part of the Senate to substitute ABA judgment for its own. Indeed, for the Senate to follow such a course would be an abdication of its constitutional responsibility.

[1] For example, in 1960 a suit was brought in Texas challenging the right of Mr. Johnson to run for Vice President and Senator at the same time. Lawyers defending Mr. Johnson's position included Jaworski and Fortas.

And, of course, it is nonsensical to suggest—as some have suggested—that ABA approval of a nominee should somehow preclude all further Senate inquiry, even as to matters admittedly not covered by the ABA.

In order to determine the weight to be accorded the ABA approval in the Fortas-Thornberry case, the Senate should know what matters were, in fact, considered by the ABA's committee during its hour-long telephone meeting. Is a transcript of that discussion available to the Senate? To what extent, if at all, did the committee concern itself with Mr. Fortas' role as an adviser to the President while sitting as a Justice of the Supreme Court? Were the opinions of Judge Thornberry, including the decision in University Committee against Lester Gunn, carefully reviewed by the committee during that hour?

As a member of the ABA, I have been interested to find that a significant number of other members share my concern about the inadequacy of present ABA procedures—particularly in light of the role in judicial selection claimed for the ABA by some of its leaders.

During the course of this controversy, some members have been surprised to learn that the ABA does not pass on whether a nominee is among the best qualified for a judicial post, but merely determines whether the nominee meets a minimum standard of professional qualification.

Some do not believe it is right for a 12-member committee to purport to speak on such matters for the 133,000 members of the American Bar Association.

During the recent convention in Philadelphia, two resolutions calling for reforms in this area were submitted to the ABA assembly. Although action has not been taken, the mere introduction of such resolutions was read by many as a significant sign.

Furthermore, I am aware that several members of the ABA's Committee on the Federal Judiciary were very much disturbed because they were expected on the morning of June 26 to give such hasty rubber-stamp approval to the Fortas-Thornberry nominations. Because the time allowed for such consideration was so short and because the political character of these and other Supreme Court nominations has been so apparent, I understand that members of this ABA committee came close at Philadelphia to recommending that the ABA abandon altogether its role with respect to appointments to the Supreme Court.

Mr. President, while I am critical of certain procedures which have been followed by one ABA committee in this particular situation, my remarks today should not be interpreted as blanket criticism of the ABA or of all its officers. Indeed, I am proud of my membership in this great association which has generally advanced the legitimate interests of the legal profession in many commendable ways.

Nevertheless, on this occasion, I am convinced that there is need to reestablish and maintain a proper perspective concerning the appropriate roles of the U.S. Senate and the ABA in the appointing process.

Mr. President, I ask unanimous consent that an article from the New York Times of August 3, 1968, an article from the Los Angeles Times of August 3, 1968, and two resolutions submitted to the Assembly of the American Bar Association on August 5, 1968, be printed at this point in the RECORD.

There being no objection, the articles and resolutions ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 3, 1968]

JOHNSON TEXAS LAWYER CHECKED THORNBERRY FOR PANEL OF ABA

(By Fred P. Graham)

PHILADELPHIA, August 2.—Leon Jaworski, a former attorney for President Johnson, acknowledged today that he was called in by the American Bar Association in June to investigate the qualifications of Judge Homer Thornberry, Mr. Johnson's nominee to the Supreme Court.

Mr. Jaworski, a Houston lawyer who has been associated with Mr. Johnson for years, said the A.B.A. called upon him to report on Judge Thornberry a former Texas Representative, because Mr. Jaworski had formerly served on a committee that screened judicial appointees, and "because I knew him better than the others."

Judge Thornberry, a member of the United States Court of Appeals for the Fifth Circuit, was first appointed to the Federal judiciary in District Court by President Kennedy in 1963. Mr. Jaworski disclosed that he alone had investigated Judge Thornberry's qualifications.

After hearing Mr. Jaworski's report on a conference telephone call on the morning of the day the nomination was announced, the A.B.A.'s Committee on the Federal Judiciary found Judge Thornberry "highly acceptable" to serve on the Supreme Court.

NEWS CONFERENCE HELD

The role of Mr. Jaworski came to light in a question-and-answer period at a news conference called by several A.B.A. leaders to urge Senate approval of Abe Fortas' nomination as Chief Justice. Mr. Jaworski and the other participants are associated with the American College of Trial Lawyers, which is holding its annual meeting here prior to the annual A.B.A. convention, which begins Monday.

Last week Senator Robert P. Griffin, Republican of Michigan, charged that the Bar Association committee had "rubber stamped" President Johnson's nominations of Judge Thornberry and Justice Fortas, who were nominated on the same day. Both nominations, now in the Senate Judiciary Committee, face determined opposition when the Senate returns next month.

The association's committee has been a powerful voice in recent years in the naming of lower Federal judges, and few judges have been approved who were found "not qualified" by it.

But some lawyers have questioned if the committee plays a meaningful role in the selection of Supreme Court Justices, and Mr. Jaworski conceded today that the 12-man group voted unanimously to approve Judge Thornberry and Justice Fortas after an hour-long conference telephone call that began at 7 A.M. on the day President Johnson announced the nominations. They were occasioned by the resignation of Chief Justice Earl Warren.

Mr. Jaworski was a member of the A.B.A. committee from 1960 to 1962. He was suc-

ceeded by John W. Ball of Jacksonville, Fla., the present member for the Fifth Circuit.

When Judge Thornberry was named to the Federal District Court in 1963, Mr. Jaworski investigated and approved his qualifications. He said he did this for judicial nominees in Texas because Mr. Ball lives so far away.

In a rare break with recent custom, President Johnson did not ask for the A.B.A. committee's approval when he appointed Judge Thornberry, a friend for more than 40 years, to the Fifth Circuit.

[From the Los Angeles (Calif.) Times, Aug. 3, 1968]

EX-JOHNSON LAWYER COUNSELED BAR GROUP BACKING THORNBERRY

(By Ronald J. Ostrow)

PHILADELPHIA.—Leon Jaworski of Houston, a former personal lawyer for President Johnson, took part in an American Bar Assn. Committee's disputed endorsement of Judge Homer Thornberry to sit on the Supreme Court, it was learned here Friday.

The committee's twin endorsement of Justice Abe Fortas to become chief justice and Thornberry to succeed him as associate justice has been denounced as a "rubber-stamping" procedure by Sen. Robert P. Griffin (R-Mich.), leader of the GOP opposition to the nominations.

Fortas and Thornberry are both old friends of Mr. Johnson. Opponents claim that the appointments smacked of "cronyism."

The nominations are still before the Senate Judiciary Committee, which is expected to resume consideration of them when the Senate returns after Labor Day.

Jaworski's role consisted of advising the 12 members of the ABA's committee on the federal judiciary, on which he had previously served, that Thornberry's record as both a federal district and appellate court judge was one "of very good service."

The committee unanimously found both men to be "highly acceptable from the standpoint of professional qualifications." A President rarely proceeds with an appointment to the federal judiciary without such backing.

Jaworski discussed his role at a press conference here called by Joseph A. Ball, president of the American College of Trial Lawyers, to support Fortas and denounce the tactics of some senators opposing the nomination.

Replying to a question, Jaworski confirmed that he had represented Mr. Johnson on some legal matters in 1959 and 1960. He did not disclose the nature of the legal work.

QUALIFICATION CLAIMED

"I don't think being the President's lawyer disqualified me" from advising the committee of Thornberry's qualifications, Jaworski said.

"I have performed many services for many different organizations, professional and other kinds, despite the fact that I did represent President Johnson in connection with some matters back in 1959 and 1960," Jaworski said.

Turning to the role he played on the ABA committee, Jaworski said he participated in a lengthy long-distance conference call linking the committee members as they reviewed Thornberry's qualifications. The call took place shortly before Mr. Johnson announced the appointments June 26.

He did so at the request of Albert E. Jenner Jr., chairman of the committee on the federal judiciary.

SERVED IN TEXAS

"Since Judge Thornberry had served as a U.S. district court judge in Texas and had served on the 5th Circuit Court of Appeals (whose territory includes Texas), it was felt by the chairman of the committee that I had more information than anyone else," Jaworski said.

Jaworski, a veteran Houston lawyer who served on the President's crime commission and is now on the President's commission on violence, said he had investigated Thornberry for the committee when he was named a district judge in 1963.

He said he dropped out of the conference call when the committee turned to considering Fortas' nomination.

Asked if he was a personal friend of Thornberry, Jaworski said: "I don't believe I had talked to him twice" when he first investigated Thornberry in 1963. "I have seen him more since he was a federal judge," Jaworski said.

FORTAS PRAISED

In the press conference, Ball praised Fortas as "one of the outstanding lawyers of this nation, an expert craftsman . . . with as keen a mind as has been on that (Supreme) court for many years."

The endorsement marked the first by leading lawyers since Fortas told the Senate Judiciary Committee that while on the court he attended White House conferences on Vietnam and the Detroit riots to summarize both sides of arguments for the President.

Ball said: "I do not think there was anything shown that would any way affect the separation of powers and the fact that the President, on occasion, asked him to give advice. * * * I can assure you that I as a citizen of this nation would have felt proud if the President asked me to give advice in times of this nation's stress . . . I think he's entitled to the finest judgment in the nation at those times . . ."

A RESOLUTION SUBMITTED TO THE ASSEMBLY OF THE AMERICAN BAR ASSOCIATION ON AUGUST 5, 1968

Whereas, the far-reaching powers exercised by the Supreme Court in reshaping our criminal procedure and other aspects of our policy make it essential for the maintenance of public confidence in the Court's holdings that the nomination of persons to fill vacancies on the Court be confined to those clearly best qualified for such nomination, and

Whereas, the unlimited discretion now enjoyed by the President in making such nominations does not always assure that such nominations shall in fact be confined to those clearly best qualified for such nomination,

Be it resolved, That it is the sense of this Assembly that an inquiry into how better to assure that nominations to the Supreme Court shall be confined to those clearly best qualified for such nomination should be accorded high priority by the appropriate organs of this Association.

Submitted by Lewis Mayers, I. Arnold Ross, and Edward W. Stitt, Jr. of New York.

RESOLUTION RELATIVE TO APPOINTMENT OF SUPREME COURT JUSTICES

Whereas, it was in this City of Philadelphia between the second Monday in May and September 17, 1787, that the Constitutional Convention met and drew up the United States Constitution in which there was included the grant of the power to the President to appoint the Justices of the Supreme Court with the advice and consent of the Senate; and

Whereas, it is well known that, at that time, there were serious difficulties connected with the anticipated selection of judges for the "National Judiciary" including (a) the general inability, then, of the citizens of the Confederated States to communicate with each other relative to a matter such as this, (b) their lack of prior experience with respect thereto, (c) the fact that there was very limited information among the citizens as to what persons, or Judges, if any, might qualify for the "National Judiciary" because of the acknowledged, limited legal and judicial education and backgrounds, generally, of the citizens of the States of the Confederation and (d) the lack of existence of such a "National Judiciary" up to that time; all of which posed a serious problem for the delegates to the Convention; and

Whereas, at that time, when, due to said difficulties, a scarcity of qualified lawyers and justices from which to choose Supreme Court Judges pragmatically, it was even deemed proper and advisable to allow persons without legal or judicial education or background to become judges of said Court, while, in this day and age there would be no more justification for such a determination than there would be to decide to appoint all judges of all courts without regard to whether they are lawyers or judges or not, or have any legal or judicial experience or not; and

Whereas, during the entire summer following the opening of the said Convention and down to about September 7, 1787, (ten days before the Convention finished its work), the proposal before the Convention (which had been submitted by the Virginia delegation including Madison and Randolph and was referred to as the Virginia Plan) relative to the appointment of said judges, provided as follows:

"Resolved that a national judiciary be established, to consist of one supreme tribunal, the judges of which shall be appointed by the second branch of the National Legislature (the Senate) to hold their offices." [1] and

So it is known that it had been the original intent of the Virginia Plan that the Senate, and not the President, was to have the power to appoint the judges of said Court; and

Whereas, within said ten day period prior to September 17, 1787, the date on which the Convention approved the proposed Constitution (although no explanation in the texts relative thereto has been found to account for it), the power of the President to appoint said Judges was inserted into the previously proposed provision of the Virginia Plan (Article X, Sect. 2) relative to the power given to the President to "commission all officers of the United States and shall appoint officers in all cases not otherwise provided by this Constitution" and included in the proposed Constitution, on September 17, 1787, in Article II, Section 2; [2] and

Whereas, it could never have been contemplated, then, that the situation would develop in the national political system, whereby the Presidential office would carry with it the prestige, influence and power, which has developed, whereby the President, due to political obligations or considerations, or other inadequate considerations, could influence the Senate to appoint a person of his choosing, whether qualified to be a judge by his education and experience or not, to be a Judge of the Supreme Court; and

Whereas, the national and international legal involvements and problems requiring consideration and determination by the members of said Court have become so complex (and these complexities increase virtually daily) and of such great importance and have such tremendous influence on national and world affairs, that the Supreme Court is one of the most, if not the most, powerful and important Courts in the world; and

Whereas, the members of the American Bar Association deem it for the best interests of the country and the world that a change be made in the Article II, Section 2 of the Constitution with respect to the power of the President to appoint, with the consent and advice of the Senate, such per-

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[1] See "the Drafting of the Constitution" by Beardsley, p. 573.

[2] See page 462 of The Constitution of the United States of America as printed by the U.S. Government Printing Office in 1964, prepared by the Legislative Conference Service, Library of Congress.

sons as he may deem, for whatever reason, fit to be Judges of this Court; and

Whereas, there are standards and requirements provided as safeguards for the Federal Judiciary system which insure, insofar as possible, that the persons who become Justices of the District Courts of Appeal will be highly qualified to be such justices and it has become the accepted practice for the elevation to membership in the Circuit Court of Appeals, justices of the District Courts, who, by reason of their background and experience in said lower courts, are deemed better qualified to serve in the Circuit Court;

Now, therefore, it is hereby—

Resolved that the American Bar Association shall recommend, and advocate to the proper governmental or other authorities, that Article II, Section 2 of the Constitution of the United States be amended so that the second paragraph thereof, shall read as follows:

"He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, *who are to be chosen from any Circuit Court of the United States Judiciary System* * * *, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments."

***An alternative proposal, which might be considered with favor, would be to add, where the three asterisks are above, the following words:

". . . or from the highest Court of any of the States of the United States . . ."

Submitted by Edward F. X. Ryan of Larchmont, N.Y.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958

Mr. MAGNUSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3566.

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3566) to amend the Federal Aviation Act of 1958 with respect to the definition of "supplemental air transportation," and for other purposes, which was, strike out all after the enacting clause, and insert:

That paragraph (33) of section 101 of the Federal Aviation Act of 1958 is amended to read as follows:

"(33) 'Supplemental air transportation' means charter trips, including exclusive tour charter trips, in air transportation, other than the transportation of mail by aircraft, rendered pursuant to a certificate of public convenience and necessity issued pursuant to section 401(d)(3) of this Act to supplement the scheduled service authorized by certificates of public convenience and necessity issued pursuant to sections 401(d) (1) and (2) of this Act. Nothing in this paragraph shall permit a supplemental air carrier to sell or offer for sale an inclusive tour in air transportation by selling or offering for sale individual tickets directly to members of the general public, or to do so indirectly by controlling, being controlled by, or under common control with, a person authorized by the Board to make such sales."

SEC. 2. Certificates of public convenience and necessity for supplemental air transportation and statements of authorizations, issued by the Civil Aeronautics Board, are hereby validated, ratified, and continued in effect according to their terms, notwithstanding any contrary determinations by any court that the Board lacked power to authorize the performance of inclusive tour charter trips in air transportation.

SEC. 3. Section 401(e)(6) of the Federal Aviation Act of 1958 is amended to read as follows:

"(6) Any air carrier, other than a supplemental air carrier, may perform charter trips (including inclusive tour charter trips) or any other special service, without regard to the points named in its certificate, or the type of service provided therein, under regulations prescribed by the Board."

Mr. MAGNUSON. Mr. President, I move that the Senate concur in the amendment of the House, but before action is taken on that motion, I wish to make an explanation of the measure for the RECORD.

The Senate passed S. 3566 to give specific statutory authority to the Civil Aeronautics Board to authorize supplemental air carriers to conduct inclusive tour charters and to validate the certificates already issued by the Board for such charters notwithstanding any court decision that the Board exceeded its statutory power in issuing them. The Senate bill amended the definition of supplemental air transportation set forth in section 101(33) of the Federal Aviation Act of 1958 by inserting the phrase "including inclusive charter trips" after the term "charter trips."

The House-passed bill is identical in this respect. The House, however, added two clarifying amendments, the first of which specifically prohibits the sale of inclusive tours to the general public by a supplemental air carrier directly, or indirectly through control relationships with tour operators.

The second House amendment would add to section 401(e)(6) of the Federal Aviation Act the same language that was added to section 101(33) to make clear that the Civil Aeronautics Board has the authority to authorize scheduled air carriers to conduct inclusive tour charter trips, if the Board defines it is in the public interest to do so.

Although I believe the Senate bill is preferable, the House bill does accomplish the prime purpose of confirming the Civil Aeronautics Board's authority to authorize supplemental air carriers to engage in inclusive tour charter trips to the extent it has previously done so under regulations of the Civil Aeronautics Board. The second House amendment is merely a clarifying amendment and does not add or detract from the authority the Board already has.

Therefore, in order to end the confusion which has surrounded the authority of supplemental air carriers since 1962, I am in favor of accepting the House amendments.

Mr. President, I ask unanimous consent that a statement by the distinguished senior Senator from Oklahoma, the chairman of the Aviation Subcommittee, be included in the RECORD at this point. Senator MONRONEY's statement clearly sets forth his understanding and my understanding and the understanding of the distinguished Senator from New Hampshire [Mr. COTTON] with respect to this legislation and with respect to the House amendments.

Mr. President, I urge the Senate to concur in the House amendments to S. 3566.

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

STATEMENT BY SENATOR MONRONEY

As the Senate will recall, in 1962 Congress amended the Federal Aviation Act so as to include a definition of supplemental air transportation and to empower the Board to certificate such transportation. So far as is presently pertinent, supplemental air transportation was defined simply as "charter trips". The Civil Aeronautics Board construed these provisions as empowering it to certificate the supplemental air carriers to conduct inclusive tour charters, subject to regulations designed to insure that such charters would not be a subterfuge for sale by the supplementals of individual point-to-point transportation. Unfortunately, two federal courts of appeals reached squarely conflicting conclusions as to the validity of the Board's construction and the Supreme Court, dividing evenly, failed to resolve the conflict.

The basic purpose of this legislation is to settle the question by making it perfectly clear that the Board may authorize inclusive tour charters by the supplementals, and to validate the certificates already issued by the Board for such charters notwithstanding any court decision that the Board exceeded its statutory power by issuing them. In these respects the bills passed by both bodies are the same. They merely amend the definition of supplemental air transportation set forth in Section 101(33) by insertion of the phrase "including inclusive tour charter trips" after the term "charter trips", and they contain a section, identical in language, ratifying outstanding certificates for inclusive tour charters.

The House amendment differs from the Senate bill in two respects, each of which I shall discuss briefly.

The first is the addition of a sentence to the new definition of supplemental air transportation which specifically prohibits the sale of inclusive tours to the general public by a supplemental carrier directly, or indirectly through control relationships with tour operators.

I am inclined to believe that it would be better policy to leave the Board with discretion in this respect to meet future exigencies which we cannot now foresee. The House amendment deprives the Board, to some extent, of flexibility, and for this reason I believe the bill as passed by the Senate is preferable. On the other hand, the Board has not thus far undertaken to authorize a supplemental carrier to deal directly with the public in the sale of inclusive tours nor has it approved any control relationships between supplemental carriers and tour operators. The provision added by the House will not, therefore, disturb existing authorizations and policies. However, we are as concerned as the Committee on Interstate and Foreign Commerce of the other body with tour operators and will follow with interest the continuation of inclusive tour service through charters between supplemental air carriers and tour operators. The CAB has ample authority over the supplemental air carrier certificates. Should additional authority which cannot be effected by agency rulemaking over the tour operators be deemed necessary, the Congress will expect prompt notification from the CAB. These are the matters of overriding importance now.

The urgent need at present is to remove the confusion and doubt which the con-

flicting court decisions have created with respect to what the Board has already said and done. Since the House bill, no less than the one passed by the Senate, clearly accomplishes this purpose, it represents a satisfactory solution to the basic and most pressing problem. Accordingly, I am prepared to go along with the House amendment despite my preference for the measure originally passed by the Senate.

The second difference is reflected in a floor amendment to the bill sponsored by Congressman Pickle. It involves a change in the language of Section 401(4)(6). That section presently authorizes the scheduled carriers, "subject to regulations prescribed by the Board", "to perform charter trips", without regard to the points to which they are certificated or the types of service for which they are certificated. The Pickle amendment adds the parenthetical phrase "including inclusive tour charter trips". These are the same explanatory words that are added after the phrase "charter trips" in both the Senate and House amendment of Section 101(33). Thus, each time the phrase "charter trips" is used in the Federal Aviation Act the House bill would have it followed by the words "including inclusive tour charter trips".

Quite frankly, I see no need for the Pickle amendment. The Board's position throughout the inclusive tour controversy has been that inclusive tour charters fall within the generally accepted scope of the charter concept and that the Board has discretion as to whether it will authorize a particular carrier or group of carriers to engage in any particular type of charter activity. That position finds solid support in the report of the Senate Committee on the 1962 legislation, and as a practical matter is ratified by the new definition of supplemental air transportation upon which the Senate and the House are today in complete agreement. The amendment is thus strictly conforming and clarifying. It merely conforms Section 101(33), the definiton of supplemental air transportation, and Section 401(e)(6), the charter authorization for the scheduled carriers, so as to make it entirely clear that inclusive tour charters within the meaning of both sections.

The Act specifically qualifies the authorization to engage in charters by making their performance "subject to regulations prescribed by the Board". Since the House amendment clearly makes it clear that inclusive tour charters are indeed charters for purposes of Section 401(e)(6), and does not otherwise alter that section or any other provision of the Act conferring regulatory discretion on the Board, it follows that the Board will continue to enjoy precisely the same power of discretionary control over the scheduled carriers' charters that it has under existing law.

Since the independent tour operators do not now have authority under Part 378 to charter aircraft from scheduled carriers in order to operate inclusive tour charters, the Senate assumes that such authority would not be granted without a satisfactory demonstration that an expansion of the inclusive tour charter program was required by the conventional standards of public convenience and necessity. Such standards would include, of course, not only the interest of the traveling public in such charters, but the need to maintain the economic viability of all segments of the certificated airline industry.

To conclude, while I think this amendment is unnecessary, it does not appear to do any harm, and, in the interest of prompt resolution of the basic problem with which we are concerned, I am in favor of accepting the bill by the other house.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Washington to concur in the House amendment.

The motion was agreed to.

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.)

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1968

A communication from the President of the United States urging the enactment of the Federal Coal Mine Health and Safety Act of 1968; to the Committee on Labor and Public Welfare.

PROPOSED FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1968

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the protection of the health and safety of persons working in the coal mining industry of the United States, and for other purposes (with an accompanying paper); to the Committee on Labor and Public Welfare.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Fred S. Long, and sundry other persons, for appointment in the Environmental Science Services Administration.

By Mr. PASTORE, from the Committee on the District of Columbia:

H. Rex Lee, of the District of Columbia, to be a member of the Federal Communications Commission.

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS (for Mr. TOWER):

S. 4035. A bill to amend section 107 of the Internal Revenue Code of 1954 relating to exclusion of rental allowances by ministers of the gospel; to the Committee on Finance.

(See the remarks of Mr. CURTIS when he introduced the above bill, which appear under a separate heading.)

S. 4035—INTRODUCTION OF BILL TO AMEND THE INTERNAL REVENUE CODE RELATING TO EXCLUSION OF RENTAL ALLOWANCES BY MINISTERS

Mr. CURTIS. Mr. President, on behalf of the Senator from Texas [Mr. TOWER], I introduce, for appropriate reference, a bill to amend section 107 of the Internal Revenue Code of 1954 relating to exclusion of rental allowances by ministers of the gospel. I ask unanimous consent that remarks, prepared by Mr. TOWER, be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the remarks will be printed in the RECORD.

The bill (S. 4035) to amend section 107 of the Internal Revenue Code of 1954 relating to exclusion of rental allowances by ministers of the gospel, introduced by Mr. CURTIS (for Mr. TOWER), was received, read twice by its title, and referred to the Committee on Finance.

The remarks of Mr. TOWER are as follows:

Mr. TOWER. Mr. President, inequities and loopholes continue to exist in the tax code. As a member of the Senate and as an American taxpayer, I consider it my duty to endeavor to correct the faults of Internal Revenue Service tax codes—whenever and wherever they are discovered.

A particular case in point concerns IRS provisions relating to the exclusion of rental allowances by ministers of the gospel. Recognized ministers of certain churches or religious organizations can not qualify for the Minister's Housing Allowance under IRS ruling due to the specific wording of the regulation relating to the church's policy lacking central authority or formal ordination. This situation results in an inequity to those who "de facto" fulfill the purpose of the regulation, though not "de jure."

What is needed then is a new definition of terminology to apply to those meeting the spirit of the law although not quite meeting the letter of the law. The purpose of my legislation is to broaden the eligibility requirements. For instance—because of an October 15, 1962 ruling (62-171) in the Internal Revenue Bulletin—ministers of the Church of Christ who teach in Abilene Christian College (Abilene, Texas) and other Christian colleges are left out entirely and are not recognized as eligible for the minister's housing exclusion.

Due to the rather autonomous structuring and de-centralized bureaucracy of the Christian Church, many teaching ministers do not qualify for exclusion from taxation the rental allowances paid them as part of their compensation. My bill amends the term "integral agency" of section 107 of Internal Revenue Code of 1954 to include those teaching ministers in schools, colleges, or universities which are *identified with* a church or church denomination as long as the members of the governing body and faculty are required to be members of the said church or denomination.

This new qualifying provision is strict enough to limit consideration to institutions of higher learning actually related to a religious denomination: for all the members of the governing body and faculty are required to be members of the said church. My bill is also broad enough to provide allowances to teaching ministers at religious-affiliated colleges regardless of the nature of their formal ties with the particular denomination. The colleges must be affiliated with a denomination, but the manner of affiliation should

not—and will not—prohibit due tax allowances if my bill is enacted.

The code of Internal Revenue should truly allow all teaching ministers tax credits for rental allowances as a part of their teaching compensation. This has not been possible in the past; the enaction of S. 4035 will remedy this longtime inequity.

GUN CONTROL ACT OF 1968—AMENDMENTS

AMENDMENTS NOS. 963 THROUGH 968

Mr. HRUSKA submitted six amendments, intended to be proposed by him, to the bill (S. 3633) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms, which were ordered to lie on the table and to be printed.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE NOMINATION OF JUSTICE ABE FORTAS TO BE CHIEF JUSTICE OF THE UNITED STATES

Mr. JAVITS. Mr. President, it is my purpose today to speak to the nomination of Abe Fortas to be Chief Justice of the United States. I have heard with the greatest interest the remarks of the distinguished Senator from Michigan [Mr. GRIFFIN], who on this side at least, the Republican side, has led the opposition to the nomination of Justice Fortas. I, too, am a member of the American Bar Association. I am unaware of the circumstances the Senator from Michigan described, but I believe that Justice Fortas eminently deserves the resounding endorsement of the association. As one member, I am content with that endorsement.

I would say, however, that what I am about to say does not, in an interesting way, even concern this necessary difference of opinion between two lawyers, both members of the American Bar Association, but relates to an aspect of the Senate's responsibility in respect to the Fortas nomination to which I hope my colleagues will give earnest attention.

My point is that, whether Senators are going to vote "yea" or "nay"—I am going to vote "yea"; perhaps Senator GRIFFIN and other Senators will vote "nay"—the question is, Shall we vote at all or shall we be blocked from voting by the utilization of the well-known rule XXII, which prevents us from voting unless two-thirds of the Members of the Senate agree? If we are blocked in this way, I believe this would represent a very serious problem, a disservice, in my judgment, to the best national interests. That is why I address myself to the subject along these lines.

This is a nomination which has involved enormous controversy. The Senate must make an important, and for many a difficult, decision on the confirmation of Justice Fortas before we adjourn. We know very well, considering the exigencies of the time, we are going to leave here within some measurable period of time. Let us say, for the sake of argument, it will be early October. The problem, in my judgment, is whether we fail to act before we leave because a minority will prevent us from voting. This I think would be most unwise in every way, for the failure to vote will itself be a decision reflecting not a judgment on the nomination but on an unwise and archaic Senate rule and the need to reform it. If the Senate fails to vote on the Fortas nomination, it will be because rule XXII of the Senate rules of procedure has once again thwarted the will of the majority.

There is no problem about the extensiveness of the debate. Here we stand on the 13th of September. There is really no other vital business that cannot be infiltrated for the consideration of the nomination. I am sure the leadership will be very content to debate this matter for 2 weeks, if Members will just come and have their say and if we have reasonably extended sessions. I know the leader does not like to have midnight sessions, but if we convene at 10 or 11 o'clock and remain until 6 or 7 o'clock, there will be plenty of time for debate.

There is no thought, in the remotest way, of cutting off the deliberation and the amplitude of the debate, and the elucidation of the facts on both sides. But rule XXII is such that it could thwart us completely, notwithstanding full and free, fair, and adequate debate, and frustrate the will of a majority. We have seen that happen before, Mr. President. At the beginning of every new Congress since I came here in 1957, liberals and moderates have joined in an effort to amend rule XXII, but even our motions to change the rules have either been talked to death or suffocated, and this notwithstanding the fact that former Vice President Nixon—and I pay him this tribute—made the most enlightened ruling that has ever been made in this Chamber on that subject, a ruling which would have enabled the Senate to change rule XXII at the beginning of a Congress by a majority vote.

But even that, Mr. President, was suffocated, because there was not a majority in the Chamber at that time even to sustain that ruling.

Nothing in the Constitution decrees that a two-thirds vote of the Senate is required to pass any measure except a treaty or a constitutional amendment. Yet the effect of the filibuster rule is to impose this requirement on virtually any measure which a small group of Senators wishes to stop. Whatever the outcome, the Fortas situation emphasizes anew the tyranny of the rule XXII, and should increase our determination to amend it as soon as the 91st Congress convenes. Mr. President, I pledge myself, if I am here again—and I hope to be—to be one of that group, or if necessary to try to do it myself. It must be done. We must be knocking at the door of the country's conscience so often it will ultimately see what is the elementary justice in this situation, which has been so vividly exemplified by the Fortas nomination .

There is already talk in the corridors, as everybody knows—it is open and public as saying it here—about the fact that we will try to cloture a couple of times, and if we cannot make it, we just cannot make it, and the President of the United States will have been deprived of the constitutional authority to fill a very high post in the Government, just because he is a lameduck President, and because a minority of the Senators can stand in the way of the Senate acting, not because there is not a majority of Senators to confirm the nomination.

Individual Members of the Senate oppose the Fortas nomination for a variety of reasons—and that is their right, as Senators—but if their reasons are valid, they should not be afraid to allow all their colleagues to vote but should rather seek a vote.

Since rule XXII cannot be amended at this stage of the session, however, I reiterate a suggestion which I made some weeks ago designed to avert a filibuster. Because any successful effort to prevent a vote will, by implication, reflect on the character and qualifications of the nominee, I propose that those Senators who oppose the nomination for collateral reasons—for example, the fact that the President did make the appointment after he announced that he would not run for another term as President—move to table the nomination, let us say after a week or 10 days of debate, if they feel that that is what they require, thus affording us a chance to vote on the merits of that particular argument; to wit, that the President should not have exercised the authority which the Constitution gives him.

If such a motion were defeated, we could then agree to vote at a certain time, or we could just be permitted to vote without a filibuster, on the central question: Whether Justice Fortas is qualified to be Chief Justice of the United States.

So there would be 2 votes, at least, one on the question as to whether or not the President should or should not have exercised his authority—that can be handled by a tabling motion made by any Senator at any time—and second, whether or not Justice Fortas' nomination should be confirmed.

There are, I believe, a number of reasons why this nomination is opposed. Some merit discussion and should be discussed on the Senate floor; others are procedural and should be dismissed.

That is why I suggest the tabling motion. Among the latter is the charge that a President who has announced his intention to retire is immediately disqualified from performing any major act of appointment in line with his constitutional duties. Then there is the curious allegation that a vacancy does not actually exist.

But, again, these can be tested by a tabling motion. Indeed, we could have two tabling motions, one argued on the first ground and one argued on the second.

A much more serious threat is posed by those who object to the nomination because of Justice Fortas' liberal philos-

ophy. We have even been bombarded with extremist pamphlets alleging that the Justice has a somewhat subversive past; and what echoes that raises in the memories of all of us, including our memory of an effort to brand President Eisenhower as some kind of an ally of the Communists.

With regard to decisions of the Supreme Court, each of us, as lawyers and as individuals, can disagree with their reasoning or results, but we must not consciously distort them and impute motives to the Justice which simply do not exist.

Here again, I parenthetically point out, Mr. President, as a parallel to this matter of imputing motives to individual Justices, how the Foreign Service of the United States has been robbed of creativity by the fact that the motives of individuals were assailed, at the sacrifice of their whole careers, so as to practically silence the whole group of thinking and able men and women we have trained precisely for the purpose. That is not an inapt analogy to the Supreme Court, or any other court, Mr. President, when the personal motives of the Justice who renders the opinion begin to be questioned.

A case in point is the obscenity issue which has been raised out of all proportion so as to make it appear that the personal morality of Justice Fortas was somehow in question. Opponents seldom mention, for example, that Justice Fortas provided the crucial fifth vote affirming the conviction of Ralph Ginzburg in that landmark case. Further, many of the decisions for which he is specifically being criticized were per curiam—without written opinion—so, in fact, we do not know the grounds on which they were decided. In this connection, I ask unanimous consent to have printed in the RECORD the excellent letter of Joseph O'Meara, dean emeritus of the Notre Dame Law School, published in the Washington Post on September 10.

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

OBSCENITY ISSUE AND FORTAS

A few United States Senators seem determined to block the confirmation of Mr. Justice Fortas's nomination as Chief Justice of the United States because of his votes in two recent obscenity cases. To attack Mr. Justice Fortas because of those votes is unfair, misleading and dangerous.

First, it is unfair because it attempts to measure a sitting Justice's judicial fitness on the basis of the scanty evidence of his recorded vote in cases decided without written opinion, two cases only.

I take it to be a general rule that no active Justice should be called to account in the Senate for his votes in particular cases. But, passing that, it seems to me clearly wrong to impugn Mr. Justice Fortas for his votes in the two cases in question. The Senatorial opposition has focused on the Court's reversals of convictions in *Shackman v. California*, decided per curiam on June 12, 1967, and in *Jacobs v. New York*, which was dismissed as moot on the same day. In neither of these cases did the Court issue a written opinion explaining its reasoning, and in neither of the cases did Mr. Justice Fortas issue a separate statement of his own views. I am quite unable, therefore, to see how one can single out Mr. Justice Fortas's actions in these cases from those of his colleagues, or extract from his votes very much about his position on the complex obscenity issue.

This conclusion is reinforced by an examination of the issues presented to the Court in those two cases. Each was unique. The briefs to the Court state that Shackman involved a "peep-show" of a filmed burlesque performance not unlike those presented fairly widely in burlesque houses throughout the country. Jacobs, on the other hand, involved a nearly private screening of what we are told was a seriously intended, if unconventional, underground art film, and the showing was not advertised in any way to the public at large. In addition, in Schackman there was presented the question of unlawful police seizure of the film prior to any lawful determination that it was in fact obscene under the local statute. For my part, I am unable to see that these cases tell us much about Mr. Justice Fortas's particular views.

Secondly, the attack on Mr. Justice Fortas's votes in these two cases is misleading because it overlooks his total record in the field. From the time of the landmark *Roth* decision in 1957 until Mr. Justice Fortas was appointed to the Court in 1965, the Court had never squarely sustained a finding of obscenity. However, in the October 1965 Term, Mr. Justice Fortas voted with the majority to sustain the obscenity convictions of Ralph Ginzburg and Edward Mishkin. He did not issue an opinion in either case. The Court's opinions, however, spell out a new theory and they broke the impasse which had developed over the obscenity issue in the years before his appointment. The Court held that the manner in which a defendant merchandised allegedly obscene material could be taken into account in determining whether those materials were "obscene."

More recently, and again with the support of Mr. Justice Fortas, the Court dealt with "variable concepts of obscenity," holding that the First Amendment does not preclude legislation to protect children from materials which might not be "obscene" if purveyed to adults. In his separate opinion in that case, *Ginzberg v. New York*, decided April 22, 1968, Mr. Justice Fortas stated:

"The State's police power may, within very broad limits, protect the parents and their children from public aggression of panderers and pushers. This is defensible on the theory that they cannot protect themselves from such assaults."

To attack Mr. Justice Fortas on the basis of his votes in two *per curiam* decisions (*Schackman* and *Jacobs*) therefore, is to distort the record. His vote in the first *Ginzberg* case, and his opinion in the more recent *Ginzberg* case, to the extent that one can isolate his views from those of the other Justices, reflects a developing sensitivity to the complexities of the problem, a realistic appreciation of the significance of the way challenged films and books are marketed, and a concern with the peddling of obscenity to the young. One need not agree or disagree with the Court or with Mr. Justice Fortas. I for one do not agree. I have argued that the burden of deciding obscenity cases should be shifted to local juries and away from appellate courts. But surely one can see, from Mr. Justice Fortas's record since his appointment, a commendable, judicious temperament wholly undeserving of the kind of attack which has been launched against him in the Senate.

Finally, to attack Mr. Justice Fortas on the basis of two *per curiam* decisions is dangerous, because it threatens not only this specific judicial appointment, but involves fundamental constitutional considerations as well. At stake in these cases is the sensitive balance to be struck between a society's interest in protecting itself from smut, and its deep need to preserve and enhance freedom of artistic and literary expression. The Constitution places the responsibility for determining where that thin line is to be drawn on the nine Justices of the Supreme Court. It should remain there.

Moreover, if Mr. Justice Fortas is to be punished for his votes in the two obscenity cases above mentioned, consistently would require that a majority of the Court be impeached.

The time is long past when the Senate should be allowed to express its judgment whether, on the basis of Mr. Justice Fortas's entire career, it consents to his appointment as a fit Chief Justice of the United States. That judgment ought not to be frustrated or obscured by a fixation on votes in two recent obscenity cases, both decided without opinion.

I am authorized to state that the following Deans, namely, Reverend Robert F. Drinan, S.J., Boston College Law School; Charles E. Ares, University of Arizona College of Law; Louis H. Pollack, Yale Law School; John W. Wade, Vanderbilt University School of Law, join in the views expressed in this letter, with the single exception of my personal opinion that obscenity, like negligence, is a jury question.

JOSEPH O'MEARA,
Dean Emeritus, Notre Dame Law School.
NOTRE DAME, IND.

Mr. JAVITS. Dean O'Meara, speaking for himself and four other law school deans, said, in part:

The Senatorial opposition has focused on the Court's reversals of convictions in *Schackman v. California*, decided per curiam on June 12, 1967, and in *Jacobs v. New York*, which was dismissed as moot on the same day. In neither of these cases did the Court issue a written opinion explaining its reasoning, and in neither of the cases did Mr. Justice Fortas issue a separate statement of his own views. I am quite unable, therefore, to see how one can single out Mr. Justice Fortas' actions in these cases from those of his colleagues, or extract from his votes very much about his position on the complex obscenity issue.

Dean O'Meara goes on:

His vote in the first Ginzburg case, and his opinion in the more recent Ginzburg case, to the extent that one can isolate his views from those of the other Justices, reflect a developing sensitivity to the complexities of the problem, a realistic appreciation of the signficance of the way challenged films and books are marketed and a concern with the peddling of obscenity to the young.

The dean's letter continues:

But surely one can see, from Mr. Justice Fortas' record since his appointment, a commendable, judicious temperament wholly undeserving of the kind of attack which has been launched against him in the Senate.

Now, Mr. President, perhaps rather specially in my case, I face another question which has been raised on this matter. Another aspect of the opposition which is of special interest to me personally is the question of anti-Semitism. As Mr. Justice Fortas is Jewish, it has been alleged that the Senate opponents of Justice Fortas are motivated by anti-Semitism and that the nominee's religion is the major cause of this heated debate. Earlier this summer, I stated that I had seen no evidence of this, and today, I would like to amplify that position.

Mr. President, in order to form a factual basis for what I have to say, I quote a statement which appeared in the New York Times of July 24 by Prof. Fred Rodell at the Yale Law School:

"No doubt about it," Mr. Rodell said in an interview yesterday. "A couple of Fortas's

colleagues on the Court have told me that they haven't the slightest doubt that one of the objections is the fact that Abe is Jewish. It may not be the whole thing, but it's definitely there."

Mr. President, this statement is the only thing which has surfaced in respect to this charge. A Yale professor has said that two Justices of the Supreme Court—never identified by him—said that some of those who opposed the Fortas nomination were animated by anti-Semitism. I respectfully point out that whether or not one is a lawyer, that is a pretty flimsy basis for a charge. It is hearsay upon hearsay, and never substantiated or backed up in any way. While I have no way of knowing what is in the hearts of individual Senators, I don't view statements such as this as hard evidence of anti-Semitic bias on the part of my colleagues.

There are undoubtedly hate groups in the fringes of American political life who are particularly annoyed that the President has nominated a Jew for this high office. Among these are the publishers of "Common Sense," "The Cross and the Flag," and the "Thunderbolt."

I have been told—though I have no personal knowledge of the fact—that one group has financed a taped telephone announcement containing anti-Semitic remarks in opposition to this confirmation. Indeed, I have been the subject of their attacks myself. And so have other Senators and Representatives and men in the highest places in government, secretaries of state and Governors. I have also been told that some Senators have received mail reflecting anti-Semitism, but it has been my experience that religion is simply an added irritant to the minds of these sick people and that usually, they oppose a man because of his whole philosophy and the panorama of his past associations rather than his religion alone, although they invoke religion as a name-calling operation. I do not downgrade it. It is very important. We do have these hate, extremist groups in existence today.

Accusations have been leveled against me that I have become immune to the bias which still exists in our society, as shown by my attitude on this case. But my record of vigilance for the protection of minority rights is so long standing and implemented that I believe no one will take this seriously. I care passionately and actively about anti-Semitism but as I have said before, to use charges of prejudice as a crutch—or a weapon—is the greatest disservice to the spirit of fellowship between the faiths and the way to create prejudice or more of it. Further, I personally contacted representatives of leading national Jewish organizations and they have confirmed that no hard evidence of anti-Semitism exists in this case outside the fringe hate groups such as the American Nazi Party. We will continue our cooperative efforts to investigate and expose any such evidence which comes to light.

With reference to the question of whether the opposition to Mr. Justice Fortas is dictated by anti-Semitism, in the absence of any tangible evidence we would do a great disservice to Mr. Justice Fortas, his service on the Court, the people of the United States, and to the Jewish community of the United States, if we were to permit a charge of anti-Semitism to be invoked as a crutch for a weak argument—and there is no such thing involved here as a weak argument. There are very strong arguments for the confirmation of Mr. Justice Fortas, of which every Jew in America ought to be proud.

This is a very distinguished man. He is very capable of being Chief Justice of the Supreme Court of the United States.

Finally, we come to the question of the nominee's qualifications for this high post. Recommended in the highest possible terms by the American Bar Association's Judicial Selection Committee, Justice Fortas has had a distinguished career as law professor, Under Secretary of the Department of the Interior, practicing attorney, and Associate Justice of the Supreme Court.

Every inquiry I have made—of law school deans and eminent lawyers and within the most distinguished element of the legal community of the country—confirms the fact that Mr. Justice Fortas will make a great Chief Justice of the United States—a position that is perhaps the second highest position in our Nation. He has been counsel in hundreds of Federal cases, argued before the Supreme Court on dozens of occasions—among them the landmark Gideon against Wainright, guaranteeing counsel to the poor—and since his elevation to the Court, has written more than 70 opinions.

Seldom does the Senate have an opportunity to consider the nomination of such an eminently qualified jurist. I urge my colleagues to perform this duty thoughtfully and with care, but without further unnecessary delay.

The basic facts before the country are very clear.

Mr. President, I urge my colleagues in the national interest to vote for Mr. Justice Fortas. I will vote for him. I urge everyone else to do the same.

There is a solid majority in favor of confirming Mr. Justice Fortas.

The one thing that would be a great disservice to the national interest is to prevent a vote. I hope very much that my colleagues will perform their duty and vote on this matter. I hope they will not prevent a vote being had upon the confirmation of the nomination of Mr. Justice Fortas.

Mr. President, this matter has become the central issue confronting us today. I point out that if Mr. Justice Fortas does not have the votes, he should not be confirmed; but I believe that he has them. The right to vote should not be blocked by the invocation of an archaic rule of the Senate, extraconstitutional in its effect, thus doing a grave disservice to the national interest.

TRIBUTE TO METROMEDIA, INC.

Mr. HARTKE. Mr. President, I rise to pay tribute to Metromedia, Inc., for its offer of time to Mayor Daley in which to explain the events that occurred during the course of the recent Democratic Convention held in Chicago.

I refer especially to those things which occurred outside of the Conrad Hilton Hotel and the resulting police action. The controversy is one that is not only of local interest, but also national interest. It is a controversy which has certainly aroused the feelings of the public at large, and not only the feelings of those who were in favor of what happened there. Some people were in favor of what the police did. Others were opposed to the police action.

As a result of the television coverage of those events, the mayor of Chicago requested that he be given free television time in which to present his side of the story.

In a really controversial matter of this character, I think that those who are participants in the actual controversy itself, if they so desire, should have an opportunity to use the most effective media possible to make their side of the story known to the general public. Let the people judge on the basis of the facts. The television coverage of events can show only one side of an occurrence. If there was connivance and the use of the facilities was not proper, those facts should be exposed.

It is for that reason that I think those of us who are concerned in the communications field—and I am a member of the Committee on Commerce—should pay special tribute to Metromedia, Inc., for granting free time in which to discuss this controversy.

I am not expressing any opinion on the merits or demerits on either side. I am saying that the American people have a right to be fully informed by the media. That is a responsibility of the press, radio, newspaper, or television itself. They have the duty to present as much information as possible on every one of our political and social activities within the realm of the media.

I compliment Metromedia, Inc., for granting this time. It is not only proper under the communications code, but it is also commendable action on their part.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Without objection, it is so ordered.

FREEDOM OF THE PRESS AND CURRENT JOURNALISTIC ENDEAVORS

Mr. MANSFIELD. Mr. President, on September 8, Sigma Delta Chi, national professional journalism society, in one of its historical sites ceremonies, honored George Mason and his contributions to freedom of the press at the Revolutionary War figure's home, Gunston Hall, in Fairfax County, Va.

George Mason, the Virginia constitutionalist who constantly sought to avoid public office but who constantly had it thrust upon him, wrote the Virginia Declaration of Rights of 1776, which first

gave freedom of the press the force of law and which later served as the model for the Bill of Rights to the U.S. Constitution.

George Mason's contributions to our freedom of the press heritage and their relation to current journalistic endeavors were discussed by J. Russell Wiggins, editor of the Washington Post, and by the distinguished junior Senator from Virginia [Mr. SPONG], with one employing the viewpoint of the professional journalist and the other that of the lawyer.

At a time when much discussion is taking place on this subject, I believe these viewpoints express a great deal of thought and a maximum of light.

I ask unanimous consent that the speeches by Mr. Wiggins and Senator SPONG be printed at this point in the RECORD.

There being no objection, the speeches were ordered to be printed in the RECORD, as follows:

ON GEORGE MASON

(Remarks of J. R. Wiggins, editor of the Washington Post, Historic Site Ceremony, Gunston Hall, Va., September 8, 1968)

It certainly would be fitting and appropriate to pay tribute to George Mason for his expression of belief in freedom of the press were that his only contribution to the ideals that lie at the very foundation of our liberty and freedom. It was no small thing boldly to say in the America of that day, or the Virginia of that day: "freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments".

George Mason and his fellow statesmen of Virginia had perceived long before 1776, when the Virginia Declaration of Rights was adopted, the nature of this freedom. If they could have foreseen the events of our own time and if they could have observed for themselves what is now transpiring in Czechoslovakia they might have gone even farther than the Virginia Declaration of Rights. They would have known then that which we know now: that freedom of the press is not only a right that despotic governments suppress, but that it is a right which despotic governments *must* suppress if they are to retain their despotism.

It is not, of course, Article 12 alone which commends George Mason to his countrymen, but the entire concept embodied in the 16 articles of the Virginia Declaration of Rights, and more than that, the whole philosophy of this great American of the Revolutionary period. His claim upon our affectionate remembrance would be great if the 12th Article of the Declaration of Rights were his only public service. But his contribution did not end there. In addition, there is his role in preparing the draft constitution of the State of Virginia. But his creative political gifts gave more than this to the nation. His influence was felt throughout the whole period of his adult life both in Virginia and in the larger arena of the Colonies and later of the Nation.

Article 12 is only one upon which we hang our recognition. It is important to remember that his dedication to freedom of the press was not a singular notion conceived in isolation, but a part of the whole comprehensive philosophy shaped by his life-long contemplation of the problems of man and society.

His reverence for freedom of the press did not spring from any narrow or parochial view of the press as a separate and particular institution. It would be well to remember that he saw freedom of the press as a part of the whole panoply of freedom. And so we should always consider it. We are not concerned with the press as a craft or a trade or a profession possessing some particular inherent good in itself. We know that its virtue springs from its contribution to the preservation of larger liberties. One cannot stand here in this historic place where this extraordinary man lived for so long and labored so hard without reflecting upon the tragedy of his life as well as upon the triumphs.

His life up to the time of the Constitutional Convention and until its very close was marked by one political success after another. The Declaration of Rights and the Virginia Constitution were only the more conspicuous products of his genius and talent. He had the almost universal respect and overwhelming support of that incredible generation of Virginians who had so profound an influence on the whole character of the American nation. As a confidante of Washington and Madison and Jefferson, Wythe and Pendleton and Randolph and Henry and Lee. He had derived his ideas of society and government where they had obtained theirs, from the deepest and widest reading of the liberal philosophers of the 18th century and from unremitting study of the political wisdom of even earlier prophets and philosophers.

In the closing days of the Constitutional Convention he became persuaded that the fundamental document was deficient in safeguards for state rights and individual liberty. Along with Patrick Henry he took a leading part in the fight against the ratification of the constitution in the Constitutional Convention of the State of Virginia. It is instructive to examine now, in the light of subsequent history, some of his misgivings. He thought the President should be limited to a single term of seven years. He foresaw a time when otherwise the tenure of a President would be indefinitely extended. He shared these misgivings with Thomas Jefferson who felt as he did that the Constitution was providing for a new version of Polish kings—elected for life. Finally, the 20th Amendment emerged to place upon the presidential tenure almost the same limits that he desired in 1789. He was worried about the methods by which the President was elected and his apprehensions have proven to be not entirely unjustified. He was worried about the control of Congress over navigation and trade and favored the two-thirds vote as an essential in such legislation. Probably he would have felt vindicated if he could have lived into th era of our excessive protective tariffs with their baneful influence, particularly in the years between the wars. He was not satisfied with the protection of religious liberty. The Virginia senate, no doubt reflecting his views, was not happy with the 1st Amendment on protection accorded religion. It foresaw, as he foresaw, that while 1st Amendment might inhibit specific acts of Congress it was no guarantee against infringement by the courts or others. And he was aware, as the Virginia senate was aware, that the protection to religious liberty might estop the establishment of a religion, but that it did not preclude that which a religious libertarian of his day feared as much—support by Federal taxation of religious teachers. So he fought a lonely and ineffectual fight against the ratification of the Constitution and he fought for a more sweeping Bill of Rights than Madison was able to obtain. And that struggle caused an estrangement between him and his life-long friend and neighbor George Washington and chilled his friendship and intercourse with other Tidewater Virginians. And so, in a sense, he died a disappointed and defeated man—but only in the narrowest sense.

If the Constitution was deficient in some respects he was able to put in train the correction of many of those deficiencies, by his influence on Thomas Jefferson and James Madison. Like every man of ideas who has died in disappointment, he did not die in despair. It is the solace of men who traffic in ideas that there never is a final defeat of an idea that has genuine merit.

The Declaration of Rights won the approval of the law-makers of Virginia, but its claims as a document of the most importance to human liberty did not depend on that alone. It would have remained a beacon of liberty even if it had been rejected.

It is a curious thing that the American liberals of the 18th century had so thorough an understanding that freedom of the press was essential to all the other freedoms. There was hardly anyone of intellectual pretensions who believed that a free government could exist without a free press. How susceptible they were to the instruction of experience. How wise they were to the examples of history. How relatively uncomprehending we seem to be to the history of our 20th century which has endeavored to teach us by an almost montonous repetition of instruction that freedom of the press and speech is indispensable to any tolerably free society. We have continued to nurture the hope and cherish the belief that some freedom might survive in countries whose institutions do not comprehend or contemplate any freedom of the press. George Mason understood that any government that suppressed freedom of speech and freedom of the press tended toward despotism. In our lifetime it has been demonstrated again and again not only that despots tend to destroy freedom of the press, it has been borne in upon us that they perhaps must destroy it if they are to survive. The tragic events in Czechoslovakia in this past month have given us an illustration of the fundamental incompatability of freedom of the press and authoritation rule. We have had instruction in the fact that despotism tends to destroy freedom of the press and instruction of a kind that begins to raise the suspicion that it *must* destroy it. It is being borne in upon us with increasing force that if tyranny does not destroy a free press, the free press will destroy it. The unfortunate people of Czechoslovakia nurtured the faint hope and apparently the delusion, that they might have communism and freedom of speech and press. The ominous instruction of the past few weeks seems to be that a people who would have one must foreswear the other—that they must choose between a slave society and a free press. Does communism by its very nature preclude that slow evolution from arbitrary and despotic tyranny to more relaxed and enlarged and open political institutions? And if this be true, a blow has been delivered at the very permise of our own policy. Dimmed are the hopes of persons of a moderate view all over the world in the slow alteration of communism in the Soviet Union.

There are events near at home that suggest that the effort of despotism and freedom to dwell together must necessarily result in the extinction of one or the other. It does not much torture the imagination to guess how George Mason would view a government ready to use force and violence against the press functioning as it was intended to function as "one of the great bulwarks." One may easily imagine how he would have described a regime in this country or elsewhere addicted to the use of physical force and violence as a means of interfering with the press. I think he would have regarded police attacks upon the press in Chicago with great anxiety. Thanks to solid foundations laid by George Mason and his generation, we may confidently hope excesses of the Chicago police are not a precedent but an aberration. It is necessary in this instance, as it is in other instances of suppression, to avoid the intimation or the suggestion that the indignation of the press from an aversion to personal indignity, restraint and physical injury on themselves alone. What is involved

in such efforts at suppression and intimidation is not the safety and security and liberty of newspapermen and journalists alone, but the right of citizens to have a fair and full report of public events and measures.

Physical violence and oppression did not succeed in preventing newspapers and the other media from portraying a faithful picture of transpiring events in Chicago. But such suppression and violence exercised widely and frequently would put an end to the free function of the press here and elsewhere. Basically, there is no difference between the impulse that led to brutal acts against the press in Chicago and the impulse that led the Soviet Union to send its armed forces across the borders of Czechoslovakia. But there the likeness ends. For us Chicago was a novelty, an idiosyncrasy and an aberration. It is a passing, and transient and a fading episode in a sea of contradiction. It is a glimpse of what despotism might do in this country if unrestrained by the Constitution and by traditions of freedom that are firmly established. Even for the Richard Daley administration this was an aberration, a slip, an exception. We do well to view this abnormal situation with alarm and excitement, but we would also do well not to misconstrue it as any sign or signal of final eclipse of freedom of the press and freedom of speech in America. Not only were the abuses of the Chicago police aberrational, exceptional or deviational; even more important, they were ineffectual. And that is an enormous comfort.

In his lifetime George Mason's liberal and liberating ideas were not universally triumphant. It is easy to understand here in the midst of surroundings to which he so frequently retreated from the ardors of his public life, how he so frequently scorned the opportunity to enjoy positions of large power and influence in Virginia and in the nation as an occupant of public office. While he often served in the House of Burgesses and the Virginia Legislature his contributions were often those of a private man. And while he continued to be a creative and constructive thinker to the end of his days, he always felt need for the kind of renewal and refreshment that could be obtained in this rural environment. We will find instruction in what he wrote and said and did as long as free institutions survive in the world. Now in our busy 20th century we can find, as well, another kind of instruction in the sort of life he lived here in this peaceful pleasant place filled with family joys and quiet solitude. Here he was free to pursue that life-long study of the human condition. Here he was far away from the distractions of the commercial and political life of his own day. He had a lot to teach us about freedom of the press and perhaps as much to teach us about freedom from the workaday world's invasions upon the tranquillity of the creative mind.

EXCERPTS FROM SPEECH BY U.S. SENATOR WILLIAM B. SPONG, JR., FOR DELIVERY SEPTEMBER 8, 1968, AT HISTORIC SITES CEREMONY OF SIGMA DELTA CHI, NATIONAL JOURNALISM SOCIETY, GUNSTON HALL, LORTON, VA., HOME OF VIRGINIA'S REVOLUTIONARY ERA LEADER, GEORGE MASON

It is a pleasure to participate in the Historical Sites Ceremony of Sigma Delta Chi, especially when a Virginian of the stature of George Mason is being honored.

In a time of confusion in our nation, a period of dissent and division, it is perhaps only fitting that we reflect a few moments on another time of turmoil and dissent and on a man of that time. Certainly, our modern lives and current problems are alien to those George Mason experienced or envisioned. His words and thoughts, however, remain valid and provide an important contribution to our heritage.

Our specific focus today is the statement on freedom of the press contained in the Virginia Declaration of Rights of 1776. This Declaration, which was written—with slight modification—by George Mason, first gave freedom of the press the force of law and later served as the model for the Bill of rights to the U.S. Constitution.

The writing of the freedom of the press statement and its inclusion in these early documents was—and is—significant in itself. Viewed on a broader spectrum—when George Mason, the man, and the governmental system which was developed are considered—the statement takes on new significance.

George Mason—like so many of his contemporaries—was a rational man. Certainly, he must have been inspired by the excitement of colonial independence from Great Britain and the creation of a new nation. But the freedom of the press article and the documents which contain it are not emotional treatises but well-reasoned and well-developed plans, shielding in most cases a carefully considered philosophy of government and society. These writings reflect a rationality and intellectual approach which is as necessary today as it was 200 years ago.

At the same time, the freedom of the press article—although it resulted in part from direct grievances—was not conceived by George Mason as an entity in itself, but rather as an integral part of a larger endeavor. It was not seen as an instrument which could operate in a vacuum, but in the context of a democratic society protected by a democratic government. The press, for obvious reasons, was left outside the Constitution and without official position in the newly-created government, but it was viewed as a most necessary part of a political philosophy whose official and unofficial aspects were designed to assure the individual the greatest freedom possible in an organized society and under an established government.

In the 200 years since George Mason lived, the changes in our lives have approached the fantastic. Despite his appreciation for the the potential of the press, it is highly unlikely that he could have envisioned mass-distributed newspapers sold at a rate of over 61 million daily and carrying news of events and situations of the world transmitted in hours—or minutes—over the wires of the press service. Or radio and television communication—especially at the current level. Census figures from 1960 indicate that over 91 percent of those interviewed owned radios. Similar figures for June 1967 show that 87.7 percent of the nonwhite and 94.8 percent of the white households in the nation have television sets.

Yet, none of these changes, which have so radically affected our lives, have in any way minimized or nullified the importance of the two aspects of freedom of the press I mentioned earlier. If anything, the need for rational consideration and for viewing the press in the context of its relation to all the activities of our government and society has only been heightened.

This need becomes particularly evident when we review freedom of the press in relation to four areas.

Most prominent at the moment is the question of the news media's role in reporting the disorders which have plagued our nation in the past several years. It is a delicate task to inform a city without inflaming it, especially with the use of television. Undoubtedly, our citizens must know what is happening but when the news media becomes the creator or enhancer, rather than the reporter and analyst, then dangers abound.

Secondly, there is the matter of the Vietnam war and the dissent over the war. Government management of the news media in war is not new. There are, in many instances, compelling reasons for plans and proposals to be kept secret. Even reports to troops which could affect their morale may be justifiably censored at times, since ultimately national safety is involved. But, the line between momentary withholding of information and a misrepresentation can easily blur. On another level, tone or emphasis plays an important part. A person today could, for example, question whether dissent over the Vietnam war was minimized in press coverage of anti-war demonstrations and activities prior to the New Hampshire primary and perhaps maximized afterwards.

Thirdly, there is the role of the press in regard to criminal trials. Where does the public's right to know end and the right of the untried, unconvicted begin? As you well know, there has already been discussion of potential problems in reporting the capture and trials of the alleged murderers of the late Martin Luther King and Sen. Robert Kennedy.

Finally, there is the role of the press in the election campaign this fall. Coverage of early campaign events, including the Democratic Convention in Chicago, evoked both cheers and condemnation for the mass media. The extent of the controversy over the Chicago coverage, if nothing else, should indicate the need for the press to consider carefully the role it must fill in the next few months.

It is undeniable that detailed coverage—in the newspapers, on radio and television—has radically affected political campaigns and elections in recent years. It has been, in many cases, most beneficial in bringing the candidates and their positions to the attention of the voters. It has also, however, made it easy to submerge a rational discussion of the issue in "the image," slogans, superficial oratory and emphasis on the medium rather than the message. At a time when our nation faces so many problems both at home and abroad, such diversion from reasoned discussion and debate serves no useful purpose.

In these four areas, then, exist some of the major questions concerning the press today. The problems involved are intricate and subject to no easy solution. The basic issue, of course, is the freedom of the press, which George Mason urged. That freedom can, however, be exercised responsibly and fully only if reason and structure are appreciated today as George Mason appreciated them.

The necessity for rational, not emotional, consideration and response endures.

So does the need for the press to operate in a context, with a view encompassing all the activities of government and society.

Together with his freedom of press statement, this is part of the valuable legacy which George Mason left to us.

SENATOR GRUENING DEDICATES MOUNT BILLY MITCHELL

Mr. SYMINGTON. Mr. President, because of the inspiration and efforts of our beloved colleague, the Senator from Alaska, ERNEST GRUENING, a majestic new memorial now honors Billy Mitchell.

A 7,200-foot Alaskan peak, now Mount Billy Mitchell, was dedicated last August 16 by Senator GRUENING.

As everyone knows, the name of Gen. Billy Mitchell is immortal in the annals of the Air Force as well as in the minds of all those interested in aviation.

An address given by Senator GRUENING at the time of the dedication offers a superb summary and a fascinating account of the life of that great air pioneer who also believed in the importance of Alaska. Because it will be of general in-

terest to many, including other Senators and historians, it is worthy of being printed in the RECORD.

In addition, at this time it would seem appropriate to give recognition to Senator GRUENING, former Governor GRUENING of Alaska, for all the support that he has given the Air Force and naval air over the years, especially in his State. Not only has he supported the services but the fact that it is relatively easy to travel in Alaska today is due in large part to his continuous interest in and promotion of commercial aviation in that part of our country.

I ask unanimous consent that his speech be printed in the RECORD.

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

REMARKS OF SENATOR GRUENING AT THE DEDICATION OF MOUNT BILLY MITCHELL

We are here to dedicate a noble mountain to a noble American. Brigadier General William Mitchell was a man to whom all Americans in general, and Alaskans in particular, are especially indebted.

The mountain will be known as "Mount Billy Mitchell"—as the man for whom it is named was generally and popularly known. The mountain will be properly so designated to distinguish it from other Mount Mitchells, one of which, in the Appalachians, happens to be the highest peak in the United States east of the Rockies.

It is fitting and proper that such an Alaskan peak commemorate the sterling public service and career of a prophet whose prophecies came true, and of a patriot whose vision, determination and moral courage served our country mightily in peace and war.

Our nation will ever be indebted to Billy Mitchell. But Alaska besides sharing the nation's indebtedness, is, in addition, doubly indebted to him—as we shall see.

Billy Mitchell's was a distinguished heritage. His grandfather, Alexander Mitchell, left a bank clerk's post in Aberdeenshire, Scotland, at age 21, and emigrated to Milwaukee in 1839.

It was then a village of 1500 souls. There he laid the foundation of a family fortune. It was the beginning of one more example in the American saga. Men—and women—in the Old World saw and felt that there, far across the uncharted wastes of the Atlantic, lay, in the New World, the land of freedom, promise and opportunity.

But he was a banker with a conscience and a high sense of responsibility. When in the great depression of 1893 his bank failed, he used his entire private fortune to repay the depositors so that not one of them lost a cent.

Billy Mitchell's father, John Lendrum Mitchell, volunteered for service in the Union Army in the Civil War. He was elected to Congress in 1891 and to the Senate in 1893. Wisconsin's Senator Mitchell did not favor our war with Spain. He was an anti-imperialist along with the great Speaker of the House of Representatives, Thomas Brackett Reed of Maine.

But his son, Billy Mitchell, left college in his junior year and at age 18 enlisted to fight in the Spanish-American War. A week later he became a second lieutenant, and was the youngest officer in the service. Thus began a military career unique in our history.

After the Spanish War he served in the Philippines, where he led an independent column that laid a telegraph line 75 miles through the jungle in hostile territory. After six months leave recovering from malaria contracted in the Philippines, General Adolphus W. Greely, chief of the Signal Corps, persuaded him to volunteer for service in Alaska.

There the Army, in the wake of the Gold Rush, had tried—unsuccessfully up to that time—to link the interior with the Pacific Coast by a telegraph line. In 1900 Billy Mitchell started scouting this uncharted route. He concluded that delay in carrying through this project was caused by the assumption that the work could not be done in winter. He proposed doing it and proceeded to do so.

This great exploit was fully described in Billy Mitchell's diary, which remained unpublished until recently. It tells of his fighting his way through an unmapped wilderness in the depth of an Alaskan winter beset by wolves and minus 70 degree temperatures. That experience contains the materials for half a dozen Jack London stories. But he laid the line—a pioneering venture which opened up Alaska's interior—an achievement in the face of incredible hardships which was typical of Billy Mitchell's whole career. For it he was promoted to a captaincy.

Back in the States he became deeply involved in experiments dealing with military communications. At age 25 he was in instructor at Fort Leavenworth and author of a text on communications. In 1906 he initiated his role as a prophet with an article in the *Cavalry Journal* in which he wrote:

"Conflicts no doubt will be carried on in the future in the air and under the water."

This was only three years after the Wright brothers' flight of 59 seconds duration at Kitty Hawk, and two years before the first airplane was delivered to the Army. Submarine warfare lay a decade ahead.

He spent some time travelling in the Orient, viewing everything that he saw perspicaciously and recording his observations meticulously. In his report in 1911 to the War Department he wrote:

"That increasing friction between Japan and the United States will take place in the future there can be little doubt, and that this will lead to war sooner or later seems quite certain.

This prophecy was made 30 years before Pearl Harbor.

Upon his return from the Orient he found he had been singled out as one of the most promising officers in the Army, and was chosen for the General Staff. At 32 he was the youngest man ever selected.

It was then that he demonstrated his interest in aviation. Despite the pioneering of the Wright brothers, the United States Army and Navy had only six planes, while the French had over a thousand. As early as 1915 Billy Mitchell urged that the National Guard be given planes. That request was not granted for ten years.

With the outbreak of World War I Billy Mitchell was sent to France, where after observing France's aviation he bombarded the War Department for the production of planes. When the United States entered the war in 1917 General Pershing assigned Mitchell to command such air force as the United States would have. There were no American planes in action at that time. Then began a tense struggle to get planes for the United States forces. Billy Mitchell was in the thick of it. For awhile his air force consisted of one plane which he flew himself. Gradually the air force increased with Billy Mitchell continually prodding for more and better planes. Before the end of the war he commanded the first great air offensive and received the warm congratulations of General Pershing. Billy Mitchell was the first American to be awarded the Croix de Guerre.

After the war he forecast the need of a Department of Defense combining Army, Navy and Air Force under one command. Again he was a quarter of a century ahead of his time.

For the next seven years Billy Mitchell waged an unremitting battle in behalf of the airplane. His efforts were by no means limited to military aviation. He urged the expansion of commercial flying. He pressed for the pioneering of air routes across the country and to foreign lands. His objective was increasingly resisted by the Army and Navy high commands. Their position was that the airplane was as most useful for observation and not for combat.

Admiral Charles Benson, chief of Naval Operations, declared:

"I cannot conceive of any use that the fleet will ever have for aircraft. The Navy doesn't need airplanes. Aviation is just a lot of noise.

The Army was equally hostile, and the Congress responded, in the National Defense Act of 1920, by cutting Mitchell's request for $53 million for airplanes to $25 million.

Now Billy Mitchell was about to commit a major heresy. Testifying before Congress he gave his opinion that the battleship would soon be obsolete, and that one of them cost as much as a thousand bombers. He declared his view that a few bombers could destroy the most powerful fleet, and he challenged the Navy to let him prove that a plane equipped with bombs could sink a naval vessel.

These views were rejected with scorn and the proposed tests were beset with every conceivable obstacle. But when put to the test Billy Mitchell's planes sunk successively a submarine, a destroyer, a cruiser and finally the presumably unsinkable German battleship the *Ostfriesland*. Next came the sinking of the United States battleship *Alabama*, then the *Virginia* and the *New Jersey*. Over the virtually unanimous opposition of the Army and Navy brass Billy Mitchell had proved his case.

After an extensive trip to the Orient Billy Mitchell in a voluminous report to the Army accurately forecast Japan's future role in the Pacific and its attack on Hawaii and the Philippines. The report was rejected by every one of the Army's four branches and derided as fantastic imaginings. Had his warning been taken to heart the Pearl Harbor disaster could have been averted. One of the Army's principal deriders was General Malin Craig, then assistant chief of staff for G-3, who as Army Chief of Staff some years later—in 1937—rejected Alaska's Delegate Dimond's plea for an Army Air Force base in Alaska for the reason that the mainland of Alaska is so remote from the strategic areas of the Pacific that it is difficult to conceive of circumstances in which air operations therefrom would contribute materially to the national defense.

Billy Mitchell's frustrations and his inability to get responsive action from the military had brought him to a decision to take his case against what he considered the dangerous weakness of our national defense to the public. A series of articles in the Saturday Evening Post presenting his views coupled with his outspokenness before Congressional committees were heading him toward a court-martial. Before these committees of the Congress he charged that senior Army officers had probably falsified evidence with the intent to confuse the Congress. He charged that criticism had been silenced by high-ranking officers. He documented his charges, and they became more vigorous and more frequent. He was thereupon removed as Assistant Secretary of the Air Force by Secretary of War John W. Weeks, sent to a lonely post near San Antonio, and demoted from his Brigadier Generalcy to his permanent rank of Colonel.

Two events were to put an end to his military career. One was the attempted flight of three Navy planes from California to Hawaii. All failed. One crashed at the takeoff because of too heavy a load. A second one plopped into the sea not far from shore. The crew of the third plane, which had run out of gas 300 miles from Hawaii, was rescued after drifting for nine days at sea.

The other disaster was the burning in midair of the Navy dirigible Shenandoah in the course of a flight over the Middle West with the loss of her commander, Zachary Lansdowne, and most of her crew.

Both these missions were designed to counter Billy Mitchell's charge of inadequate naval aviation. Instead they substantiated it. Needless to say, the nation's press immediately queried him for his comments. His 6,000-word reply includes the following caustic indictment:

"My opinion is as follows. These accidents are the result of the incompetency, and the criminal negligence, of our national defense by the Navy and War Departments."

He went on to charge that both Army and Navy had gone to absurd lengths to prevent the creation of a separate air arm and elaborated on their propaganda efforts for that purpose. He concluded by saying:

"As a patriotic American citizen I can no longer stand by and see these disgusting performances at the expense of the lives of our people and the delusion of the American public . . . The bodies of my former companions in the air moulder under the soil in America, Europe and Africa, many, yes, a great many, sent there directly by official stupidity . . . We would not be keeping trust with our departed comrades were we longer to conceal these facts."

The Army ordered Billy Mitchell court-martialled. There were eight charges. They were that his statements had been insubordinate, to the prejudice of good order and military discipline, that they were contemptuous and disrespectful and intended to discredit the War and Navy Departments.

Billy Mitchell's counsel contended that the judges representing the Army and Navy on the court were prejudiced and that they should have included some airmen. The proceedings certainly appeared to justify this charge. The Army's counsel, Major Allen Gullion, later the Army's Adjutant-General, denounced Billy Mitchell in unsparing terms. The hatred exhibited for this courageous airman and the epithets applied to him seem almost unbelievable in retrospect.

The court, composed of high-ranking generals and admirals, found Billy Mitchell guilty on all counts. It sentenced him to suspension of rank, command and duty with forfeiture of pay and allowances for five years.

Billy Mitchell had been crucified on a cross of brass, but he was soon to be resurrected in the hearts and minds of the American people.

President Coolidge approved the sentence but restored the pay and allowances.

However, Billy Mitchell had already made up his mind to resign from the Army and did so as of February 1, 1926.

Now free to carry his message to the American people he continued to do so from the lecture platform and in writing for the next decade.

His last public appearance on February 13, 1935, was highlighted by his reiteration of the strategic importance of Alaska and his forecast that the Japanese would attack Alaska. His words were these:

"Japan is our dangerous enemy in the Pacific. They won't attack Panama. They will come right here to Alaska. Alaska is the most central place in the world for aircraft, and that is true either of Europe, Asia or North America. I believe in the future he who holds Alaska will hold the world, and I think it is the most important strategic place in the world."

Ten years earlier—in 1925—testifying before a Congressional committee Billy Mitchell had said:

"Alaska is far more important than the Philippines or Hawaii and should be protected by air as well as by land."

It is evident that Billy Mitchell's foresight and wisdom about Alaska were ignored by the military establishment just as were his pleas for an adequate air force and his foresight of the importance of the air arm in war.

But it should be clear to us Alaskans that Billy Mitchell's solicitude for Alaska in both deed and word spanned his entire public career.

Subsequent history has fully validated Billy Mitchell's prescriptions.

A separate United States Air Force was established. Indeed military aviation's importance has been so well recognized that in addition to the separate Air Force, the Army, Navy and Marine Corps each have an air force of their own.

A Department of Defense has been established.

The Navy has replaced the battleship with carriers.

The Weather Bureau has shifted its major concern from agriculture to aviation.

Countless improvements in both military and commercial aeronautics originated in Mitchell's recommendations.

Alaska was finally given *some* defenses, but not in time to obviate wholly its involvement in the war with Japan which Billy Mitchell had long and repeatedly forecast as he had warned of the vulnerability of Hawaii's defenses which was so tragically demonstrated on December 7, 1941.

For which of these contributions will Billy Mitchell be most honored and remembered? Which one of them will, above others, enshrine his place in history?

Alaskans will note, as we today proudly dedicate Mount Billy Mitchell, rising along the route over which he laid the line in 1901, that he played a major part in opening up Alaska at the turn of the century and that in his final public appearance he pithily and unforgettably summarized his long-held and repeatedly uttered beliefs of Alaska's strategic importance in the air age.

Great as was Billy Mitchell's vision no doubt his greatest claim to fame lay and will lie in his willingness to sacrifice his career for his convictions. His moral courage was and should forever be a beacon light to guide Americans if we are to remain free and preserve all that is best in our great heritage.

That is the enduring contribution of Billy Mitchell—pioneer, prophet, patriot, American immortal.

THE PACIFIC ERA—ADDRESS BY NAJEEB E. HALABY

Mr. INOUYE. Mr. President, in a speech delivered at the annual meeting of the Hawaii Visitors Bureau in Honolulu, Hawaii, September 5, 1968, Mr. Najeeb E. Halaby, president of Pan American World Airways, looked beyond Vietnam to a postwar Pacific—to Asia as it moves into the last years of this century.

Mr. Halaby urged his audience not to "permit disappointment and frustration in what we have tried to accomplish in Vietnam to set us back a half century in our awareness of what Asia means to us, now and in the future."

In the belief that Mr. Halaby's remarks may be of interest to Senators, I would like to share his address with them. I ask unanimous consent that the full text of Mr. Halaby's remarks be printed in the RECORD.

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

THE PACIFIC ERA—ASIA AND HAWAII IN THE LAST THIRD OF THE 20TH CENTURY

(Speech by Najeeb E. Halaby)

The last time we met together in this beautiful setting, I startled you with an account of the impact of the Pan Am Superjet Clipper, the need for a superjet port in Honolulu with convenient airport accessibility, and the consequent shortage of accommodations. Today, I would like to gaze with you over the blue horizon toward the Pacific of the year 2000.

Of course, we cannot forget our current problems of war and race. The Vietnam War and the consequences of it—what impact the experience will have on America's membership in the "Pacific Community" over the last third of the 20th Century—is a subject of grave importance we should be thinking about it, as uncomfortable as it may be.

One does not need to travel from New York to Hawaii to hold forth on the urgent need for our nation to set the example of offering to each one of the citizens what America promises in principle, much less discuss the moral obligation of living the way we preach, because that remains, as I say in abject tribute, Hawaii's most remarkable quality.

We have come a long way, as a nation, in finally grasping the nearly incalculable significance of Asia to us. I say, "as a nation," because once again, people in Hawaii may be different. You are the interpreters and the prophets between Occident and Orient and you are not apt to turn away, disappointed and frustrated with our efforts in the Western Pacific, to decide it is hopeless for us to play any role in Asia more subtle than the Seventh Fleet.

Our two limited wars, which are so trying for the American people with their traditional concepts of "total victory"—one of the most tragic and enduring illusions in history—have both been in Asia and it would be very easy for those too impatient to grapple with long range, complex and shifting problems to conclude that America has no business there and that the thing to do is to "let them stew in their own juice."

So, your role as a center of communication between East and West will grow increasingly important in the years immediately ahead. Americans cannot afford to become indifferent to the problems of Asia and the people who live on the rim of this great ocean. Half the people on earth live there.

Secretary of State John Hay said, the first decade of this almost unbelievable century, that the "Mediterranean was the ocean of the past; the Atlantic the ocean of the present, and the Pacific the ocean of the future." That was very perceptive and President Johnson made it clear he believed that particular future had just about caught up with us when he called "the Pacific Era." America was at long last, it seemed, seeing Asia in realistic perspective, seeing it in relation to the rest of the world and particularly our part of it. One could say the extraordinary interest in the transpacific route case among the domestic airlines, many of which had never seen the Pacific, in a manner of speaking, was an indication of the new awareness.

This, of course, was a very fine thing—I mean, the new general awareness—because no nation can be ignorant nor indifferent to the movement of a billion people.

But a drift backwards may be setting in. The devisiveness generated by the war in Vietnam on top of our domestic travail may have started it. We are all for an honorable peace in Vietnam and I'm sure we are all for letting the Vietnamese run their own affairs, once it appears possible that they would really have that opportunity, so I am not talking about a resolution of the war, solely, I am concerned about a trend back toward isolationism, a selected and somewhat more worldly isolationism but real, nonetheless, di-

rected mostly at Southeast Asia and including, to some lesser degree, all of Asia.

If this is true, I am worried. We must not permit disappointment and frustration in what we have tried to accomplish in Vietnam to set us back a half century in our awareness of what Asia means to us, now and in the future. We do not have that kind of time any more.

Secretary Hay was, it is true, very perceptive in his observation about the role of the Pacific in world affairs. But that concept tells you that no matter how farsighted he was historically, he was part of another age technically. With sailing ships, or even belching coal smoke, the most significant events of the time probably had to be concentrated, at least confined to one ocean. It took a lot of time and major resources just to assemble the participants on a climactic scene.

But the airplane and modern communications have changed this. The critical moment for us all could be in the Atlantic today, the Pacific tomorrow and the Mediterranean, which Secretary Hay had put to rest, the day after tomorrow.

We cannot neatly pigeonhole great chunks of the earth's surface and say this is more important than that. All the parts, the oceans and regions, have been laced together by very-nearly instant communications and travel just under the speed of sound . . . and that restriction will soon be lifted. If it is time to proceed more imaginatively in Europe, fine; but we must not lose sight for one moment the epic changes underway in the Pacific and Asia and their consequences to us from now on.

In world terms, one of the greatest of all frontiers continues to lie to the West—the Pacific and Asia. Asia has been, and is still, called by many, the Far East. This is a European outlook dating back to the days of sail. To the continental American, to the citizen of Hawaii, Asia is not the Far East—it is the Far West—a frontier that holds unheralded promise and unlimited potential if the energies of a billion minds and bodies can be released in a creative way. It is on this great frontier covering one-third of the Earth's land mass that the greatest change is going to take place in the remaining three decades of this century and on into the 21st Century.

It is not, and will not be, an open frontier for occupation and exploitation as was the great North American Continent. The days of Occidental domination are over. But a frontier it nevertheless remains, in terms of its need and hunger for constructive development. It is a frontier open to ideas, to change to cooperation, to new relationships. The old Asia, older in history than Western civilization, is awake, and the pioneer spirit that developed our western frontier is evident in the New Asia today, in fact, we who have lived and operated in the Pacific feel the high winds of nationalism blowing.

Think of the unrealized potential of the Pacific and Asia! In terms of human resources, more than one half of the world's population lives in Asia and the island states lying off the coast of the Asian mainland. No one knows the limits of Asia's natural resources—above and below the surface—but they are great indeed.

The two countries of India and China, in population alone, are equal to all of Europe, Africa and North and South America combined. And to show what an Asian nation can do—think of Japan, which is fast becoming the third most powerful industrial country in the world, surpassed only by the United States and the U.S.S.R. It would be folly to underestimate Asia's potential—to assume that the Japanese rate of growth cannot be repeated by other peoples in Asia as the 20th Century gives way to the 21st.

Just as many of the eastern seaboard have had a natural affinity and bias for Europe, those on our western extremity must have a Pacific and Asian perspective to give balance to our world view. This need places a heavy responsiblity on our Pacific states. In this effort, Hawaii has a special leadership role to play—a unique opportunity to influence and shape future American attitudes and policy in the Pacific and beyond—for nowhere in our country should there be a deeper understanding and appreciation of the lands and peoples and cultures of the Pacific and Asia than among the citizens and the leaders of this state.

Let us now look ahead—toward the year 2000—beyond Vietnam—to a postwar Pacific—to Asia as it moves into the last years of this century and approaches the year 2000.

The year 2000 sounds like a long time off into the future. Remember the year 2000 is less than 32 years away and the median age in our country is only 28. Our leaders of the year 2000 are being educated today in our colleges and universities. Isn't this something to think about?

Much of the technology of the year 2000 will be based on science of the 60's and 70's—as our technology of today is derived from the science of the 40's and 50's. Although the time lag between discovery and application may be shrinking, decisions taken now in the development of new space systems, aircraft, and related air and ground systems, will determine the nature of air transportation on into the new century. For example, in the predictable growth of transport technology by 2000 A.D., we can see not only the supersonic transports of the 70's compressing the world into 10 hours, but the 6,000 m.p.h. hypersonic transport bringing London, Moscow, Peiping, Rio and Dakar within 80 minutes of Honolulu!

Looking ahead and taking a wide angle view of the Pacific Ocean and Asia, what do we see?

First, the grim race in Asia between population and food production. According to the latest U.N. figures, the world population in 1967 stood at 3.3 billion. Fifty-six percent of this total live in Asia and one-third of the worlds' people, an estimated 1.1 billion, live in Asia outside of the boundaries of mainland China.

If the present growth rate continues, the world population will exceed 6 billion before 2000—with most of the increase taking place in the newly developing world. The rate of growth in Asia, exclusive of Japan, is between two and three times that of the United States and Europe. If this continues, the imbalance in the world distribution of population will be intensified further. While Asia is now awake to its population growth problem and while promising steps are being taken in concert with the United Nations and the Population Council and other agencies to reduce the birthrate, the hard fact remains that even with a dramatic drop, Asia will be by far the most densely populated area in the world in the year 2000, with perhaps 2 out of every 3 humans alive at the turn of the century being Asian.

Can they be fed—can Asia overcome its chronic lack of food and spectre of periodic famine? The outlook, fortunately, gives a hopeful "maybe"—for the food production prospects in Asia have changed almost beyond belief in the last two or three years—and projections now are more optimistic than ever before that Asian food production can forestall the crises of growing population pressure.

Many things have contributed to this remarkable turnabout. Two of the most important are: First, the priority being given agriculture by several Asian governments, with increasing national budgetary and foreign exchange resources being firmly committed to the growing of food, to the purchase of production of fertilizer, to pesticides and the modernization of the whole agro-infrastructure; and second, the introduction of new miracle seeds—rice and wheat developed by deliberate genetic engineering—has already brought results that can only be described as spectacular in terms of increased yield.

The potential for further advance and progress toward Asian self-sufficiency in food is bright. Given concurrent improvement in distribution and marketing systems, the net effect could be a much more rapid rate of over-all economic growth. In short, a great Asian agricultural revolution is underway. If it continues, it could well become the most significant world economic development since the economic rebirth of Western Europe following World War II.

And more and more prophets of the Pacific area are talking about aquaculture—farming the sea—and practicing it as well. And the most resourceful and advanced are right here in Honolulu under the leadership of Taylor Pryor and his scientists of the sea.

Thinking about Asia's broader economic future, however, is most difficult. It must be kept in mind that while old in terms of culture and history, Asia is mostly made up of newly formed, independent nations simultaneously trying to emerge from traditional and colonial socio-economic-political systems into modern states. It took Japan nearly a 100 years to bridge this gap even though it enjoyed a unity in language and race that few contemporary countries in Asia possess today. Given the great diversification and the obvious differences between the stages of development of Asian nations, economic progress and growth are going to be markedly uneven in the remaining years of this century. The process of change will be speeded up, however, by the rapid transference of science and technology, by improvement in internal and external transportation and communications, by an educational explosion, by international travel and exchange, and by regional and international cooperation.

Despite these aids and some encouraging progress, most of the underdeveloped countries in Asia will find that, in relative terms, the gap in the living standards between the developed countries and the less developed ones will be further widened. This will be true even within the Asian family of nations as the rate of economic growth of Japan, Korea, Taiwan, Malaysia, Singapore, and Thailand continues to increase at a higher rate in terms of GNP and per capita income than that of the other countries in Asia. This can create regional instability—but, also, opportunity for greater Asian regional cooperation and programs of mutual assistance as between the more advanced and the more slowly developing Asian nations.

Looking ahead, the pattern of Asian economic growth resembles a quilt with bright patches of hope here and there—but mostly blurred designs of various hues. Of all the economic ailments, protectionism—the infection of Nationalism—may be the most damaging. Progress over-all will be slow, a step-by-step process. Cooperation will be needed within the area, as will an infusion of foreign capital and management know-how. A few Asian countries will certainly have passed their "take-off" stage by the 21st Century—but many, whose starting base is slow, will still be struggling to attain self-sustaining economy by the year 2000. Correcting this imbalance between the haves and the have-nots will require continuing international measures and new forms of financial and technical assistance if the less advanced states of Asia are to be brought into the modern world.

In Asia's industrial adolescence we will see the fear of change and growth, we will feel the reaction to American brain power and technology and we will need to understand and adjust as befits a mature, modern partner in growth.

I turn now to the political outlook in Asia. It is in this one-half of the world that our country has suffered its major disappointments and most serious foreign policy failures in the post-World War II period.

From an American political point of view, it is the least understood area of the world and, therefore, in the long run it may present us with our most dangerous problems. Though our focus may be blurred, what we do see as some of the most crucial issues that remain on the 20th Century's unfinished agenda in Asia—issues that will have repercussions on into the 21st?

First, Vietnam. It would be tragic to think of the war and a possible settlement in isolated terms, geographically, or otherwise, for the outcome will have its effect, one way or another, elsewhere in Asia and far into the future. The problems will not disappear with our November election. What we must consider are the longer range consequences of our actions in Washington, Saigon, and Paris, and their psychological and political impact in all of Asia and the world at large. Asia itself has the greatest stake in the outcome, for no objective survey of Asian opinion can overlook the concern felt and the conclusion that most of Asia will feel less secure in the event of an American defeat and withdrawal. To ignore this fact under the pressure of immediate imperatives could lead to greater instability and tragedy in the long run.

Perhaps, it is time to change the character of our presence in Asia. Maybe, we don't even have an option. It is becoming increasingly apparent that no nation, with the possible exception of Korea, will in the years ahead be happy about having American bases and large numbers of American troops stationed on their soil.

But this may be best for all concerned. The original Cold War threat of military intervention posed by the Sino-Soviet juggernaut—as we then viewed it—seems to have been badly weakened by dialectic fevers and internal hemorrhages. In any case, we will have new options in meeting our defense needs and won't have to "stand" in 19th century traditions. The new generation of airplanes—the C-5A, the 747 and the SST's—will enable us to deliver troops and material in regimental strength across the Pacific in a matter of hours. Our fantastic global surveillance and communications systems will make the Pearl Harbor type attack impossible.

While I believe it is true that the original threat to the security of the Pacific Community has changed through the years, a threat remains and it is more complicated because it relates more directly to the needs—the demands—of the masses of people involved in each country and less on external forces. We must learn to deal with this, to deal with each nation in terms of their needs and their potential for realization of their aspirations, rather than in terms of *our* needs, hopes, and fears. We must not concern ourselves so much with the architecture of their governments or even how they work, really, but on what we can do to bring as many of their people as possible, and as quickly as possible, into the modern world's education, commerce, and travel.

These efforts would, no doubt, include some of the assistance programs we now have, or a version of them, but at the very least they will have to be redefined and reaudited in terms of longer range plans than anything we have had. There must be greater efforts from the private sector and the personal sector, but all efforts should be part of a concept we can freely show to the world, including Peking. Your East-West Center may have an extraordinary opportunity to point the way to an up-to-date, constructive and rewarding policy for the U.S. in Asia.

The second great question in Asia's future and the American interest in the Pacific, is Japan and its political and economic orientation in the years ahead. It stands today as the most stable, most powerful, nation in Asia. Its potential for further development and constructive world cooperation, given its national genius, is great. It can be an enormous force for good in Asia. It can share its skills and wealth with its poorer neighbors in Asia. It can serve, to the political and economic system of Mainland China, as a model for national growth and development. At the same time, it has the potential to exercise a moderating influence on the harshness of Communist Chinese hostility and isolation.

Japan's significance to the United States and to future peace, prosperity and security in Asia, cannot be underestimated. Its economic and trade importance is well known. What is less clear is its future political role. Will it extend its security treaty with the United States beyond 1970? Will it move toward rearmament and a greater reliance on its own power? Will it feel compelled to develop its own nuclear arsenal? Will it seek greater accommodation with Communist China? Will it resist its opportunities for economic domination of less advanced countries? Will it seek mutually advantageous regional and international arrangements for cooperative relations? Will U.S.-Japanese friendship continue?

Much of the shape of the year 2000 in Asia will hinge on Japan. Make no mistake about this.

Moving farther west, I come to the third great question mark of Asia—India. Its future, too, will determine the Asia of tomorrow. Next to China, it is the world's most populous country—with over 500 million people. Today it is the world's largest democracy—and this is the issue that may be decided in the remaining years of this century—can democracy survive in India? Can India move against its massive and at times depressive problems within a democratic framework? Can it overcome its staggering burdens of population, food, poverty, language, education, communalism, and caste, and emerge as a viable political, social and economic entity? Some are betting that it cannot; some are laying the groundwork for a break-up of the democratic parliamentary approach, some are predicting a political disintegration following on a massive failure of the present system to meet the growing demand of the Indian masses for change and a better life.

One of the consequences might be a basic shift of India towards a Marxian alternative. This would affect the balance of Asia and the world far into the next century. Not that India would join with China in one great monolithic Asian communist bloc, for this is unlikely, given the existing bitterness and hostility between New Delhi, Pakistan and Peking. It is more likely that a more socialist-oriented India would drift toward Moscow and the effect of such a move would have serious strategic consequences and its effect on all of South Asia would be monumental.

It follows then that we have a major stake in India—in the struggles of the Indian Government—in its effort to succeed.

Indonesia, lying under the land mass of Southeast Asia and between the Indian and Pacific Oceans, is another country whose future will be of growing importance to all of Asia. As an independent country, it is young, it has yet to begin to tap its human and natural wealth. With intelligent exploitation and development it can in time become the middle anchor in a stable and prosperous Asia. On its own and led by its youth, it has frustrated and reversed the tide of communism in Indonesia—resulting in the most serious defeat ever inflicted on communism and the foreign policy of Communist China. From the very edge of political takeover and economic chaos, the Indonesian Government is attempting to come back, to overcome the mistakes of the past, the confusion and waste and misadventures of former leadership. By disavowing earlier policies of confrontation and hostility with its neighbors, by seeking new and friendly relations in Asia and the outside world, Djakarta is contributing to the prospects of a better Southeast Asia. Recently the U.S. and Indonesia have concluded a bilateral air agreement that can serve as an Asian model and we are ready to provide new routes Round-the-Pacific and Round-the-World through Djakarta.

Its internal problems, however, remain acute. Its future will depend on its ability to achieve financial and political growth and stability, to turn promise into performance, to provide a social infrastructure for 130 million people upon which individual and national progress can be built. It will be a race between tangible results and impatient aspirations. If the race is won by the forces now in control, the prospects for democracy and increasing stability in the rest of Southeast Asia will be enhanced. Certainly, Indonesia is on the frontier as it grapples with its own problems of national fulfillment. It seeks cooperation and new economic relations with the world. Its progress toward modernization may be uneven and slow. What is significant is its potential, for its future clearly lies ahead of it and this is what we should keep our eyes upon.

I have saved Communist China for the last item on my agenda of major Asian issues in the remaining years of this century. I have, of course, for reasons of time left unexplored many important countries including the great, growing Republic of Taiwan which are an integral part of Asia's future, many significant advances and many new Asian cooperative, regional efforts which augur well for the future collective strength and vitality of the region. There are also many critical problems which I have not covered for time reasons—but none of these problems or the ones already mentioned have greater importance for the future than Mainland China. Given its present course, Communist China constitutes the greatest challenge in Asia. As Japan embodies our major hope for Asia—Communist China epitomizes our greatest concern.

Our focus on this huge land mass and between 700 and 800 million human beings is distorted by a lack of information, a lack of knowledge upon which understanding is based. Communist China is living in a self-determined isolation. Its own contracts with the outside world are strictly controlled and the shades of its windows are drawn. It has discontinued publishing statistics about itself. It has refused to allow increased travel and exchange except when politically expedient. It has even on an increasing scale withdrawn from its own or its former friends.

Scholars of Chinese history tell us that this is not new—that China remained isolated by choice from the western world for centuries, that unlike Japan's adaptation to and adoption of Western influence, China for three hundred years or more attempted to keep her walls intact and the westerner who came by sea, at arms length. It is true that outside influences have contributed to China's present isolation. It is also true that Communist China has rejected or ignored overtures for an easing of this impasse.

As the world shrinks, as the threat of the nuclear age to all mankind mounts, as the need for world cooperation grows, the isolation of one-third of the world is dangerous and even intolerable. We have found that open airports and open minds must replace those that are closed if mankind is to move forward. We cannot force a change on Communist China, but we can encourage a gradual change by a reexamination of our own attitudes and policies and their psychological impact on those who may be covering their feelings of national insecurity with bellicosity.

In the long run we have more to gain than to lose by bringing the Mainland of China into the family of nations than by abetting her own isolationist desires by giving her an excuse for irrational behavior.

She cannot continue her present lonely course forever. It would seem to be clear that a gradual and peaceful emergence

would be far preferable to an explosive and hostile one at a time of her own choosing. And so we must give more thought to the unthinkable, to new relationships with Communist China, to increased contact, to greater trade, and more stable political arrangements that will enhance the security of the whole world. In the process, the United States cannot sit back and sulk over past disappointments. It may not be possible or desirable for us to take the lead—but we can and should make clear our hope for a gradual resumption of Communist China's relations with the rest of the world. As with Moscow, resumption of air service might be a first step in some auspicious year ahead. And then there is no reason not to inaugurate American Round-the-World service over China as well as over Siberia linking Asia even more closely to Europe.

I say this now, recognizing that Mainland China is today under the control of leaders who are violently hostile to us and zealous to the doctrine that their particular political faith is the only true world religion. I recognize that their dogma, and their fanaticism and zeal to spread their faith, pose a threat to their neighbors and to the world order. We must also be aware of the dangers and tensions that flow from their limited but growing nuclear capability. Let us also recognize that while Chinese rhetoric is extremely bellicose, their actions have tended to be cautious—with perhaps the exception of their military action along their borders with India and their earlier intervention in Korea. They loudly proclaim the necessity of sweeping the world with "wars of national liberation" but they have not as yet committed in a significant way any of their own military forces to these causes. They prefer to stir things up, to incite, to offer their example and their supplies rather than their men.

I do not underestimate the danger to the internal security of Asian states posed by Mainland China's posture. The threat will continue. It should be countered primarily by gradually eliminating those conditions of poverty, despair and social injustice upon which insurgency feeds. Progress in this direction is being made. What I am saying is that so long as we make our intentions firm and clear Communist China today appears to be in no position to undertake a major foreign military adventure and is not likely to do so in the immediate future. The larger threat is not now—but over the long run.

Today the Mainland of China appears torn with intense disorder. This has resulted in serious splits within the Communist leadership, between the Party's bureaucracy and the Mao followers, between the young and the old, between the pragmatists and the dogmatists, the new technicians and the old politicians. The China-watchers are confused; their explanations are based more on speculation than on fact.

China is in a weakened position. The threat of further national disintegration remains, a cruel power struggle for succession is in progress, revolution within a revolution continues.

But what of tomorrow? No one knows what will emerge. What we do know is that China has a history of rising to meet crises, a genius for organization, a people with a tradition of hard work, and enthusiasm for learning, and a pride in race unmatched in the world. It is likely that all of these characteristics will influence her future as she first seeks self-sufficiency and order within her own borders to try to bring Communist China gradually into the mainstream of the world community—both in their interest and in the interest of all mankind.

Shifting our lens back to the widest angle view, I see, in summary, forces of change pervading all of Asia. The pace of the revolution in ideas and action that is reshaping Asian society will quicken in the decades ahead. I foresee an Asia that will continue and may, in fact, grow in instability. I see an explosive Asia that may be torn by ancient antagonisms between races, between religious and political loyalties, within and between national societies. I see an Asia where the importance and force of nationalism and pragmatism will grow and be more important than foreign ideologies. I see a divided Asia—divided as between countries and regions, and divided by political and economic ideology. My radar does not show a great wave of communism engulfing the entire area. I see rather the present lines of demarcation between communist and non-communist Asia holding except in situations where communism can sweep in on the currents of nationalism. Asian nations do not want to lose their independence to any foreign "ism"; they have and they will resist subversion and insurrection by internal and external forces of the far left.

Such movements will succeed only where there has been local failure to win and hold the loyalties of the people. This will require change and social progress at a pace faster than in the past. On the positive side, I see growing cooperation between groupings of Asian states as evidenced by the trend already in motion. I see in the competition between Communist China and the rest of Asia, China being outstripped in terms of relative economic growth by a growing number of non-communist states in Asia. Taken as a group, the non-communist countries of Asia are potentially more than a match for the Mainland of China.

What Asia wants and needs is time to overcome the humiliations of the past, to move with increasing speed toward a more self-respecting future. In the process and in varying degrees as between countries, the effort may be a convulsive one, for Asia is impatient. Asians are not satisfied with the past; Asians will not tolerate the status quo; Asians want and will demand revolution—peaceful or otherwise—in their search for the answers to grinding poverty, ill health, personal insecurity, inequal opportunity and their longing for respect and dignity.

This may take ten years, twenty years, thirty years. It is the China of 2000 that we should be concerned about; for once its own house is in order, it can then act and not just talk about the world around it. Surely its great power potential is obvious. Coupled with strong economic base and national cohesion and purpose, it can in time exert decisive influence over the entire map of Asia and the world at large.

For the foreseeable future, it appears that there is almost no likelihood that Communist China will adopt a policy of international cooperation. However, our only reasonable hope is that their leaders will slowly begin to realize the realities of the world around them and begin to see that no nation, no people, can live unto themselves as if time had stood still. With a new generation of leaders, as their ignorance of the world lessens, as they gain confidence, they may gradually come to understand that a prosperous and secure China will depend upon a relaxation of tensions and eventually world cooperation, as well as upon their own domestic efforts. This shift in attitude will probably take a long time—it may not come about. If it doesn't, China will remain the greatest threat to the world far into the next century. This is why we and others should not fail to use the time remaining in this century.

The solution to these problems must come from within, based on indigenous Asian initiatives, intelligence, commitment and leadership. For the rest of this century and on into the 21st a new type of leader will be emerging in Asia: leadership that is youthful, pragmatic, and responsive to popular demands. It will be the first generation of leadership educated and trained free from the influences of colonialism, and therefore nationalistic. These leaders will be more aware of the concepts of science, the possibilities of technology, and modern techniques of management. We will find them a tough, fresh, intelligent breed: congenial but not subservient, independent but more realistic and worldly.

The U.S. interest in Asia that will emerge goes beyond the economic, political and security problems of today and tomorrow, important as they may be. We must think in terms beyond our own life span and on into the next century to find the root of our national interest, because the odds favor a future Asia which will have far more relative power at its command vis-a-vis the United States than it does today. Keep in mind its size, its population, its history and its past greatness in comparison with less advanced early Western civilizations. History could repeat itself, and the present unequal power balance between Asia and the western advanced countries could, and probably will, shift dramatically in Asia's favor in the century that lies ahead.

The American interest should be focused on building a peaceful Asia, a progressive Asia and in time a stable Asian community of states living with and contributing a more hopeful and sane world. It should continue to be concerned with assisting in the economic development of the poor countries of Asia, leading them toward relatively free enterprise systems with incentives that will release productive energies. It should be concerned with the establishment of mutually beneficial Asian-American trade relations and a breaking down of restrictive barriers to commerce, to an increase in travel and cultural and educational exchange, to a freer flow of ideas. It should be concerned with the building of permanent bridges of mutual respect between the peoples of Asia and the United States. This is our national agenda for Asia.

It holds a challenge for all Americans, especially for the people of Hawaii. For Asians travelling to the United States across the Pacific, Hawaii is the first window through which they see America. What they see should make all Americans proud—a free, dynamic, progressive, prosperous multi-racial society—living in harmony on islands of great beauty, with an appreciation and determination to conserve the paradise found by those who come before for those who will follow.

Hawaii, too, should be the center for the blending of western and Asian culture. It should be known for the quality of its cultures not the quantity of its vultures, for its fine museums, for its architecture, for its sensitivity to Asian history, Asian culture, Asian religions and Asian art.

Hawaii should be proud of its University, its Asian and Pacific studies, its special library collections, its East-West Center, its scholarly research and publications on Asia, its important basic and applied research on tropical agriculture, Pacific marine biology, public health and Asian food nutrition. Hawaii has already contributed to Asian development and its potential for further constructive effort is here—within your public and private institutions, your business houses, and your unique human resources.

Perhaps our most basic national need as we look to Asia and the year 2000 is an educational system that does not largely ignore the more than one-half of the people of the world. Education in the United States on Asia, especially at the secondary school level, has been woefully deficient. I am told that here in Hawaii the Pacific-Asian Affairs Council's high school education program has no equal in the other 49 states. Your example could be followed and Hawaii should be concerned that it is—for your pioneering educational work on Asia could reach into schoolrooms across our land to the benefit of all.

Lastly, Hawaii could be the natural leader of a new "Western Leadership", as interested in the Pacific and Asia as the so-called "Eastern Establishment" is in the Atlantic and Europe. Hawaii should think in terms of leadership in making certain that the American view of the world is a balanced one—that policies and decisions are not forged for Asia and the Pacific by those whose background, interests and knowledge do not match those of this community. To the contrary, the United States should look to the leaders of Hawaii—the Burns and the Quinns, the Inouyes and Fongs, the Minks, Blaisdells and Matsunagas, as well as the Dillinghams, Hamiltons and Chinn Hos—all your business, civic and cultural leaders, your educational institutions, your people, for a vision of Asia and the future that takes advantage of your geographical position, the sensitivity that comes from your present and past associations, the ethnic heritage of so many of your citizens which has enriched your society, and your superior understanding of Asian tradition, values and aspirations.

In an interesting way, the performance of your delegation to the recent Chicago Convention may presage the future. Governor Burns and his colleagues inserted this plank in his party's platform: "Recognizing the growing importance of Asia and the Pacific, we will encourage increased cultural and educational efforts such as those undertaken in multi-racial Hawaii, to facilitate a better understanding of the problems and opportunities of this vast area." And the keynote speaker, your own beloved and effective Senator Dan Inouye, made the greatest sense when he said. . . . "I wish to share with you a most sacred word of Hawaii. It is aloha. To some of you who have visited us, it may have meant hello, to others aloha may have meant goodbye. But those of us who have been privileged to live in Hawaii, aloha means, I love you."

LAWYERS THROUGHOUT AMERICA URGE PROMPT CONSIDERATION OF COURT APPOINTMENTS

Mr. McGEE. Mr. President, one more voice has been added to the chorus of voices urging the Senate to perform its constitutional duty with respect to the Supreme Court nominations made by President Johnson nearly 3 months ago.

This latest voice is a nationwide committee of lawyers, practitioners of law, which is the foundation of our entire system of government. I will point out immediately that the committee of lawyers is not endorsing either nominee. What the committee urges—what I urge—what more and more Americans are urging—is that the Senate stand up to its constitutional responsibilities, that we focus our thoughts and our energies on the only legitimate issue in this matter—the qualifications of the two nominees for the posts to which they have been named.

I do not know the political inclinations or the philosophical leanings of the individual members of the committee of lawyers. What I do know is that they are absolutely correct when they say that we must be on about the business of either giving or withholding our advice and consent.

How ironic that the opposition to the nominees cling so righteously to the standard of the Constitution, and yet by their actions, they make a mockery of the constitutional process.

In order to show the broad geographic representation of the committee of lawyers and the dispassionate, nonpartisan stance they have taken on this issue, I ask unanimous consent to have printed in the RECORD, the statement by the committee and the list of members.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

STATEMENT BY COMMITTEE OF LAWYERS

We have formed a Committee of Lawyers from all parts of this country to urge the Senate to fulfill its constitutional responsibilities by giving prompt and fair consideration to the two Supreme Court nominations made by the President nearly 3 months ago.

The Constitution of the United States explicitly sets forth the authority and obligation of the President and the Members of the Senate during their terms of office with respect to the appointment of high Federal officials. Among the joint responsibilities of the President and the Senate is the duty to fill vacancies as they occur on the Supreme Court of the United States. The Constitution provides that the President "shall nominate, and by and with the advice and consent of the Senate, shall appoint . . . Judges of the Supreme Court."

The threatened use of the filibuster technique to frustrate the appointive power which is vested by the Constitution in the President and Senate would be a most unworthy assault upon our constitutional system of government. Just as the President is constitutionally bound to nominate persons to fill vacancies as they occur, the Senate is bound to consider the nominations on the merits and to advise and either grant or deny its consent to the appointments.

It is of course appropriate for the Senate to take into account the jurisprudential views of the nominee as set forth in his opinions and other writings. But it is plainly inappropriate to question a nominee as to how he arrived at his prior judicial decisions or as to his views on particular questions that may come before him as a judge.

It is equally clear that the advice and consent process was not designed to provide a forum for an indiscriminate attack on the Supreme Court or its decisions. The courts, like other institutions of our government, profit from constructive criticism. But sweeping and indiscriminate attacks upon the highest judicial tribunal in the land can only undermine the public respect for law upon which our entire system depends.

We urge the Senate to exercise its constitutional responsibilities by addressing itself promptly to the business properly before it: voting on the Supreme Court nominations on their respective merits.

LIST OF MEMBERS OF COMMITTEE OF LAWYERS

Alabama: Jerome A. Cooper, Birmingham, Ala.

Arizona: Charles E. Aros, Tucson, Ariz.

Arkansas: E. Charles Eichenbaum, Little Rock, Ark.; Robert A. Leflar, Fayetteville, Ark.

California: Edward L. Barrett, Jr. (dean), Davis, Calif.; Richard C. Dinkelspiel, San Francisco, Calif.; Edward C. Halbach, Jr., Berkeley, Calif.; Bayless A. Manning, Stanford, Calif.; William H. Orrick, Jr., San Francisco, Calif.; Joseph A. Ball, Long Beach, Calif.; Robert G. Sproul, Jr., San Francisco, Calif.; John A. Sutro, San Francisco, Calif.; Maynard J. Toll, Los Angeles, Calif.; Homer D. Crotty, Los Angeles, Calif.; Brent M. Abel, San Francisco, Calif.; Richard C. Maxwell (dean), Los Angeles, Calif.

Colorado: Richard M. Davis, Denver, Colo.; Joseph G. Hodges, Denver, Colo.

Connecticut: Donald F. Keefe, New Haven, Conn.; Louis H. Pollak (dean), New Haven, Conn.

Delaware: William Poole, Wilmington, Del.

Florida: Cody Fowler, Tampa, Fla.; Hugo L. Black, Jr., Miami, Fla.

Georgia: William B. Spann, Jr., Atlanta, Ga.; Robert R. Richardson, Atlanta, Ga.; Herbert Johnson, Atlanta, Ga.

Hawaii: J. Garner Anthony, Honolulu, Hawaii.

Idaho: Jerry V. Smith, Lewiston, Idaho.

Illinois: William H. Avery, Chicago, Ill.; Walter T. Fisher, Chicago, Ill.; Morris I. Leibman, Chicago, Ill.; Phil C. Neil, Chicago, Ill.; Howard J. Trienens, Chicago, Ill.

Indiana: Floyd W. Burns, Indianapolis, Ind.; Joseph O'Meara, Notre Dame, Ind.

Iowa: Luther L. Hill, Jr., Des Moines, Iowa; David H. Vernon, Iowa City, Iowa.

Kentucky: Herbert D. Sledd, Lexington, Ky.

Louisiana: Thomas B. Lemann, New Orleans, La.; Revius O. Ortique, Jr., New Orleans, La.

Maryland: E. Clinton Bamberger, Jr., Baltimore, Md.; H. Vernon Eney, Baltimore, Md.

Massachusetts: Robert F. Drinan, Boston, Mass.; Robert W. Meserve, Boston, Mass.; Paul A. Tamburello, Pittsfield, Mass.; Neil Leonard, Boston, Mass.

Michigan: Charles W. Joiner, Detroit, Mich.; Robert A. Nitschke, Detroit, Mich.

Minnesota: Sidney S. Feinberg, Minneapolis, Minn.

Missouri: Arthur J. Freund, St. Louis, Mo.; John H. Lashly, St. Louis, Mo.; John Raeburn Green, St. Louis, Mo.; W. William McCalpin, St. Louis, Mo.; Arthur Mag, Kansas City, Mo.; James M. Douglas, St. Louis, Mo.

Montana: Kendrick Smith, Butte, Montana.

Nevada: John Shaw Field, Reno, Nev.

New Hampshire: Robert H. Reno, Concord, N.H.; Joseph Millimet, Manchester, N.H.

New Jersey: Walter Leichter, Union City, N.J.; John H. Yauch, Newark, N.J.; James D. Carpenter, Newark, N.J.; John J. Gibbons, Newark, N.J.; T. Girard Wharton, Somerville, N.J.

New Mexico: Don G. McCormick, Carlsbad, N. Mex.; William A. Sloan, Albuquerque, N. Mex.; John D. Robb, Jr., Carlsbad, N. Mex.

New York: Robert A. Bicks, New York, N.Y.; Bruce Bromley, New York, N.Y.; Norris Darrell, New York, N.Y.; Milton Handler, New York, N.Y.; Robert B. McKay, New York, N.Y.; Ross L. Malone, New York, N.Y.; Orison S. Marden, New York, N.Y.; Burke Marshall, Armonk, N.Y.; Samuel R. Pierce, Jr., New York, N.Y.; Whitney North Seymour, New York, N.Y.; William Tucker (dean), Ithaca, N.Y.; Betheul M. Webster, New York, N.Y.; Simon H. Rifkind, New York, N.Y.; Oscar M. Ruebhausen, New York, N.Y.; Russell D. Niles, New York, N.Y.; Samuel I. Rosenman, New York, N.Y.; Eli W. Debevoise, New York, N.Y.; Herbert Wechsler (professor), New York, N.Y.; William C. Warren, New York, N.Y.

North Carolina: Terry Sanford, Raleigh, N.C.; John V. Hunter, Raleigh, N.C.

North Dakota: Robert E. Dahl, Grafton, N. Dak.

Ohio: Robert H. Kennedy, Cleveland, Ohio; N. Seth Taft, Cleveland, Ohio.

Oklahoma: Ted J. Davis, Oklahoma City, Okla.; G. M. Fuller, Oklahoma City, Okla.; Jerry Tubb, Oklahoma City, Okla.; John Draper, Oklahoma City, Okla.

Oregon: R. W. Nahstoll, Portland Oreg.; James C. Dezendorf, Portland, Oreg.

Pennsylvania: John G. Buchanan, Pittsburgh, Pa.; Lewis H. Van Dusen, Jr., Philadelphia, Pa.; Jefferson B. Fordham, Philadelphia, Pa.; David F. Maxwell, Philadelphia, Pa.; Gilbert Nurick, Harrisburg, Pa.; Jerome Shestack, Philadelphia, Pa.; Thomas W. Pomeroy, Jr., Pittsburgh, Pa.

Rhode Island: Arthur J. Levy, Providence, R.I.

South Dakota: Ross H. Oviatt, Watertown, S. Dak.

Tennessee: Walter P. Armstrong, Jr., Memphis, Tenn.; Edward W. Kuhn, Memphis, Tenn.

Texas: Charles O. Galvin, Dallas, Tex.; William F. Walsh, Houston, Tex.; Charles Alan Wright, Austin, Tex.; Cecil E. Burney, Corpus Christi, Tex.

Virginia: George C. Freeman, Jr., Richmond, Va.; Edward Griffith Dodson, Jr., Roanoke, Va.; George E. Allen, Richmond, Va.

Washington: Stimson Bullitt, Seattle, Wash.

Wisconsin: N. Spencer Kimball, Madison, Wis.

Wyoming: George F. Guy, Cheyenne, Wyo.

Washington, D.C.: Stephen Ailes, Washington, D.C.; Frederick A. Ballard, Washington, D.C.; W. Graham Claytor, Jr., Washington, D.C.; Lloyd N. Cutler, Washington, D.C.; Vernon X. Miller (dean), Washington, D.C.; Rufus King, Washington, D.C.; Louis F. Oberdorfer, Washington, D.C.; Robert L. Wald, Washington, D.C.; Edward Bennett Williams, Washington, D.C.; H. Thomas Austern, Washington, D.C.; Francis M. Shea, Washington, D.C.

SENATOR JAVITS SPEAKS ON ORDER WITH JUSTICE

Mr. BROOKE. Mr. President, the distinguished senior Senator from New York [Mr. JAVITS] recently delivered an eloquent address on the subject of order with justice.

I know of few men with more experience of and sympathy for the problems of our cities. Senator JAVITS has a deep understanding of the needs and frustrations of the underprivileged and a great appreciation for the requirements of order and stability in society at large.

I commend his address to the attention of Senators and to the consideration of the American people, and ask unanimous consent that it be printed in the RECORD.

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

TWIN GOALS FOR AMERICA: A RULE OF LAW AND A POLICY OF JUSTICE

(Speech by Senator JACOB K. JAVITS, New York State Annual Convention of the AFL–CIO, Kiamesha Lake, N.Y., September 4, 1968)

America today is a divided nation. The bitter controversy aroused by the most unpopular war in our history, an unprecedented increase in crime, the conditions within our cities and the demands of black and other minority communities for social and economic justice have created a genuine national emergency.

Out of the controversy, the tension, the bitterness, the rioting, the looting, the burning and civil disobedience—violent and nonviolent—has come confusion, chagrin and demands for "law and order." But these very words, normally associated with a peaceful society, have unhappily acquired a code significance to minorities. To them, they mean brutal suppression of dissent and a police presence.

Our nation takes its greatest pride in being a government of laws—and not men. Our nation provides guarantees of free speech and assembly and a free press. This way our electoral and legislative processes may operate in an informed atmosphere and as responsibly as possible to accomplish peaceful change, wherever change is needed. Our people naturally and properly resist attempts to seek change by resort to force and violence or paralyzing civil disobedience—even by those who enlist our sympathies like the poor, the black minority and the students.

A rule of law there must and shall be. We cannot settle the grave problems now confronting America on the streets. We cannot have peace by creating anarchy. But let us also understand clearly how profoundly mistaken are those who view our problems merely in terms of entering more names on police blotters and filling up our already overcrowded prisons. *What is necessary is a rule of law and a policy of justice, in its fullest legal and moral sense, to minimize the need for overt police action and troops.*

A rule of law implies that anyone who violates the law should be apprehended and punished. Justice means that the disaffected should have a place and an opportunity to express their grievances and that the people should have the right to be heard.

A rule of law means that the law shall be applied equally to black and white, rich and poor, Christian and Jew. It also requires respect for the courts and for the integrity of judges.

Justice means the right of all Americans to determine their own destinies without undue interference from "big brother" in Washington or Albany. And it also requires that each American shall have an equal opportunity to make the best of what is in himself—to acquire an education, be trained for a job, and to buy a home without regard to the color of his skin or his religious faith or that of his neighbor.

The rule of law means that our labor laws should be enforced with equal vigor and objectivity for both management and labor.

Justice means that the road to economic security shall be attained through hard, honest work. It means that one section of the country should not condone and practice 19th century labor relations in order to lure plants and industries from the rest of the country which recognizes the right of working men and women to organize and bargain collectively with their employers. And it means an end to a blatant act of discrimination committed by the Congress of the United States, more than thirty years ago, when farm workers were denied the protection accorded to other workers under the Wagner Act.

Justice means that there is a job available for every American who wants to work or to learn how to work. And it means that once a man is too old to work, he should be able to retire with a decent standard of living. Justice means that men and women who have worked for years under a pension plan cannot be forced to lose all their retirement benefits if their employment ends or if their boss decides to go out of business—as happens all too frequently now.

The rule of law implies that all of us shall pay our taxes. But justice demands the closing of loopholes in the tax laws which favor special interests and allow many Americans with high incomes to escape the heavy burden cast on the rest of us. And justice also means that the value of hard-earned dollars shall not shrivel away year after year in the hands of a government unwilling or unable to control inflation.

The rule of law means fulfillment of the obligation to serve in the armed forces if called. Justice means a fair Selective Service Law, a reasonable Selective Service Director, and an equitable Selective Service System, the availability of deferments to students in vocational schools or apprenticeship programs as well as to students in four-year academic universities, and the availability of conscientious objector status to genuine pacifists.

Justice also means that in the richest nation on earth millions of people should not be forced to live in rat-infested tenements and to go to bed hungry each night.

We must and we shall have a rule of law in America. But without this kind of justice we will not attain the domestic tranquillity that we seek so desperately, and attempt to achieve it primarily through police action will only divide our country more and more fiercely. The lesson was made clear on the streets of Chicago last week. I say we had better set our sights higher than that if there is to be a future for this country.

The lesson has also been made clear by the history of attempts to deny working men and women the right to seek economic justice through collective bargaining. Almost 75 years ago troops were also called out to the streets of Chicago to maintain law and order. Only then the men in the streets were not demonstrating for peace; they were railroad Pullman workers striking to obtain a living wage. That year, and for over 40 years afterwards, labor-management relations in this country consisted mainly of compelling, primarily by court proceedings, working people to obey laws which denied them their just rights to organize and to bargain collectively. Government became a symbol of the effort to see that "law and order" was maintained in the sweat-shops of America.

Did these practices succeed? Perhaps for a while, but not in the long run. Government by injunction did not succeed in establishing stable labor relations in America because it was government without justice for the workingman. Such practices failed to create productivity or efficiency or stability commensurate with the capability of our nation. So strikes became more, rather than less frequent, and picket-line violence more rather than less common. For a time it seemed that the division between management and labor in this country was truly the kind of class struggle that Karl Marx had predicted would be the eventual outcome of a capitalist economy. Marx was proved wrong, and one major reason was that this nation finally faced up to its responsibilities and gave workers the justice which had been denied them so long, in passing the Wagner Act.

Today—while there is much still to be done—we can take pride in the results. We have institutionalized the process of collective bargaining, and what is more, we have left it largely free from heavy government restrictions. Collective bargaining is free to establish a guaranteed annual wage, free to establish retirement and welfare plans for millions of workers and their families, free to deal with the vexing problems of automation, free to serve as an instrument for assuring a fair share of the national economy to American workers.

Of course, there are those who say that we shouldn't have any more strikes—that the hard-won gains of labor are now secure and that the right to strike should therefore be regarded as a philosophical relic once useful but no longer appropriate or worthy of recognition. But they are mistaken. The right to strike is in most cases what makes collective bargaining work, and collective bargaining and a free, vigorous and effective trade union movement remain a vital part of the American way.

There are also those who would turn the clock back a half-century to make labor once again subject to antitrust laws. They are equally mistaken.

If many American workers now enjoy prosperity, it is largely because they have not been denied justice. And what is true for prosperous workingmen is even more true for impoverished men who have no jobs at all.

Guns and night-sticks may bring "law and order" to a Chicago or to a Prague, but they cannot—even without brutality—bring tranquility. Police and National Guardsmen may terrorize and arrest dissenters, but they can never stifle dissent.

Reactionary attacks against court decisions that affirm the Constitution by merely requiring poor and ignorant defendants to be advised of their basic rights—such as to see a lawyer or to refuse to incriminate themselves which educated defendants and hardened criminals already know they possess—may appeal to some who seek a convenient scapegoat on which to blame increases in crime. But they certainly will not have the effect of materially reducing crime in our streets. Laws whose enforcement depends on the ignorance of the accused do not even deserve the name of law.

The way to stop the increase in crime—and it must be stopped—is to seek out and eliminate the root causes of crime: unemployment, poverty, slums, and ignorance. We must deter men from committing crime, but we shall not be successful until we can show them that the way to a different life is open to all those who abide by the law.

Let us not delude ourselves into thinking that "law and order" can be a substitute for law and justice. And if we are really to solve the problems which now beset us, it is law and justice that we must have.

HUBERT HUMPHREY IS LEADER IN FIGHT ON CRIME

Mr. INOUYE. Mr. President, while Mr. Agnew is still apologizing for his "soft on communism" charge, Mr. Nixon now suggests that HUBERT HUMPHREY is soft on crime.

The Republican presidential candidate is as poorly informed as his running mate when he says that Mr. HUMPHREY is "tragically naive" on the issue of crime in America.

HUBERT HUMPHREY is the one candidate who has directly faced the forces of crime in America. As mayor of Minneapolis, he strengthened the police force, rid the city of racketeers and won an FBI award for effective law enforcement.

In his campaign Mr. HUMPHREY has advanced—and will continue to advance—a program of strong action to combat crime in America. From Mr. HUMPHREY, we get a plan of action. From Mr. Nixon, we get only cheap tricks.

It is now Mr. Nixon's turn to look at the evidence of the Humphrey record, and then apologize.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

GUN CONTROL ACT OF 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The BILL CLERK. A bill (S. 3633) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. DODD obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. DODD. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order the Chair recognizes the senior Senator from Connecticut.

Mr. DODD. Mr. President, I shall be very brief this morning. There are some things that I think should be said about S. 3633, the measure now before us.

I repeat what I said yesterday. I believe a great many people are pleased that we are now at this point, particularly those who worked so hard for so many years to see a strong firearms control bill before the Senate and the House of Representatives.

On July 24, 1968, the House of Representatives passed its longarms control bill, while the Committee on the Judiciary in the Senate was reporting favorably its version of the same piece of legislation which we are now discussing. I think they both represent significant advances. And they are the end products of millions of words of testimony, dozens of days of hearings, thousands of pages of transcript, and scores of versions of bills and amendments. Many people worked hard on this matter for a long time. They have a right to be pleased that we are here now.

President Johnson signed the omnibus crime bill, which included title IV, on June 19, 1968, and the long gun amendment was ordered to be reported by the Judiciary Committee in July.

I would like to make it clear that these are the best firearms laws ever considered by Congress in the history of this country. That point should be emphasized. It troubles me, therefore, to witness the misunderstanding of the legislative process, and that is the only way I can account for it, and the legislative word that is evident among so many people.

I make this statement to clear up perhaps some of the misunderstanding. What I have said about these bills was true when title IV was passed by the Senate last May and it is even more true since July 24.

I simply do not understand the attitude of some people who have greeted this legislation as they have done when it was reported to the Senate by the Committee on the Judiciary. I do not know where they get their information, but it is misleading and it is not helpful to those who want to see a sensible gun-control law passed in this Congress.

Typical of what I am talking about is an article which was published in the New York Times on July 25, 1968. That newspaper prides itself on its comprehensive coverage of activities in Congress. However, apparently it was victimized or it made some mistake because it clearly distorted what actually happened on the floor of the House of Representatives and in the executive session of the Committee on the Judiciary.

The editorial stated that S. 3633, which we are now considering, the long gun amendment, reported by the Committee on the Judiciary "can only be branded as a phony bill." Then, two paragraphs later, based on its own, anointed misinterpretation of the proposed law, aroused fear and mistrust among its readers by wrongly stating that "any person who says he is a 'collector' can pay a $10 license fee as such—and buy himself some old Thompson submachineguns, then put them in working order."

It is a mind-bending experience to be subjected to such criticism by a newspaper for reporting a piece of legislation to the floor of the Senate that is many times stronger than a law they overwhelmingly supported just 50 days prior to the writing of this editorial.

It seems to me there is too much of this talk about "weak," or "watered down," or "compromise legislation" by the instant experts, and it simply is not so.

It is not true that anyone who says he is a collector can pay $10 for a license and buy himself some old Thompson submachinegun.

Again, that same newspaper in an editorial printed in today's morning edition, indicates that the Senate bill we are now considering, S. 3633, includes a new definition of a gun dealer which could qualify almost anyone to purchase firearms by paying the Treasury Department a $10 fee.

This is a gross misstatement of the provisions of the bill because there is no new definition of a gun dealer in it. Second, in addition to a $10 license fee, an applicant for a dealer's license would have to meet five definitive standards in order to obtain such a license.

Clearly the New York Times editorial writer has either misread or not read at all the licensing provisions of S. 3633 as it is now being considered in this Chamber. That newspaper has wide circulation and many people believe anything it prints.

I point out that the definition of a gun dealer in S. 3633 is the same as that which is contained in title IV of the omnibus crime bill which was enacted into law in June of this year and which the same New York Times applauded.

The editorial goes on to state:

> In a blatant concession to the rifle lobby, the bill would allow interstate shipment of firearms and ammunition to persons belonging to the National Rifle Association. Join the NRA and be exempt from the law.

This is very simply not true. There is no such provision in the bill and there never has been. I had something to do with the drafting of the first bill and such a provision was never in any bill

I introduced, nor is there such a provision in this bill that we now consider.

It is a mighty discouraging experience to pick up that paper and read that kind of statement while we are debating the matter in the Senate. I do not know whether it is a callous attempt to discredit the effective control provisions in S. 3633, but it certainly represents something terribly wrong in the understanding of the facts by whoever wrote that editorial.

It is even more inaccurate in its news story of today on the firearms debate which appears on page 33 of the Times. It said:

> Senator Dodd, who was anxious to have some gun bill passed bearing his name, finally accepted the amendments, asserting, according to sources, that they carried a Treasury Department endorsement.

Mr. President, I am not that anxious to have my name on a gun bill. I am anxious only to see a good gun-control bill enacted into law. I have been anxious about that for a good many years. There may be others who are anxious about their names, but I do not care about that. If someone else gets a good bill passed that is all right with me.

I think it is important for the record that I should state the facts. The facts are that during consideration of S. 3633 on July 24, certain amendments were proposed to the bill by the Senator from South Carolina [Mr. THURMOND] to which the Senator from Maryland [Mr. TYDINGS] did not agree. I think the record will bear out every word of this.

At one point in the discussion, the Senator from Maryland [Mr. TYDINGS] questioned me as to the position of the Justice Department relative to the amendment that would modify the "licensing standards," one of the Thurmond amendments of the bill. I informed the Senator from Maryland that I had discussed this with the Chief Counsel in the Alcohol and Tobacco Tax Legal Division of the Internal Revenue Service, and while the Internal Revenue Service did not particularly like this amendment, they indicated that if the issue over the amendment were to block action on the bill in the committee, then it would be better to accept the amendment so that the bill could be reported.

Mr. President, it is a matter of record in the transcript of the meeting of the Committee on the Judiciary on July 24, that I did not say that the Treasury Department endorsed the Thurmond amendments.

Further, the New York Times made a gross misrepresentation of the letter referred to in the article from Commissioner Cohen to Senator TYDINGS.

The Cohen letter referred to the House version of the gun bill and not to S. 3633 which was reported from the Senate Judiciary Committee.

I talked with Commissioner Cohen this morning, and I am told it referred to the House version of the gun bill.

The Senate bill is a much stronger bill, in my opinion, than the House-passed firearms bill.

Thus, it is distressing that this newspaper would have the facts so mixed up. I do not know what its motivation is, but the record should be corrected.

I say again that S. 3633 now pending—and it should be said over and over again—is the strongest Federal gun law that has come before Congress in the history of the country. It should be said again and again—and I think I was the first to say it, and I say it now—that it is not perfect. I do not think in every respect it is what it should be, but I hope we can make it better through discussion and debate on the floor of the Senate.

I know that it was the best bill we could get out of committee. Efforts were made in committee to get different versions reported upon, and the committee process was lengthy. I believe that the bill would have been before the Senate long before now had it not been for those efforts. But we now have the opportunity to work our will and offer perfecting amendments, if we choose to do so, as some of us will.

It has also been said that S. 3633 stops at the State line and that it provides no protection to the citizens in States which have lax gun laws.

That is another statement which is simply not true.

The following provisions of S. 3633 would not "stop at the State line."

First, all sales of firearms, whether interstate or intrastate, are controlled and regulated under S. 3633. As my colleagues well know, a licensed dealer, under this bill, cannot sell or deliver any firearm to a felon, fugitive, or indictee for a felony, whether that sale is interstate or intrastate in nature.

I do not know how anyone can make a mistake about that.

Second, that licensee cannot sell or deliver any firearm, other than a shotgun or rifle, to a person under 21, whether it be interstate or intrastate in nature.

Third, S. 3633 prohibits the sale, whether interstate or intrastate, of rifles and shotguns to juveniles.

Fourth, it prohibits the sale of any firearms by a licensed dealer that would be in violation of any State or local law.

Fifth, the bill provides that all persons engaging in the firearms business, importers, manufacturers, and dealers, be licensed and this applies to dealers who only deal intrastate as well as to interstate dealers.

Sixth, it regulates all intrastate mail-order sales of firearms by a sworn statement and notice control provisions of regulation with which the purchaser or the seller would have to comply before completing the sale or delivery of the firearm.

I believe that we must consider this legislation objectively and accurately. I hope I have eliminated some of the confusion which some Members have about this bill.

Remember what I have said—and I expect to go on saying it—that, of course, the bill is not perfect. I do not ever remember seeing any legislation go through the Senate that I thought was perfect. I think we are doing well, but we can do better. The important thing is that the record must reflect objectively the controls which are in the measure, and what we have attempted to do in our efforts to move it through the Senate.

Mr. President, I do not understand those who attack the bill, especially title IV, who say it is "weak, watered down, and does not amount to anything." And where were these people 6 or 7 years ago when a handful of us were fighting for good gun laws? We never heard from them then. They never supported the need for gun laws then. It has not been an easy task. Yet the "instant" experts now come along and believe that they know everything about the issue. They know just how everything should be done. I hope that they will reflect—particularly the influential newspapers in this country—and will not erroneously say things about the pending bill, and make reference to provisions which are not contained in the bill, which requires me or someone else to rise on the floor of the Senate to correct the misstatements. That is not serving the public interest very well, in my judgment.

That is why I have taken the time this morning in the hope that we can put an end to these misstatements and such errant talk about this legislation.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I send to the desk a proposed unanimous-consent agreement, and ask that it be read.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent agreement.

The legislative clerk read the proposed unanimous-consent agreement, as follows:

> *Ordered*, That, effective on Monday next, at the conclusion of routine morning business, during the further consideration of the bill S. 3633, a bill to amend title 18, USC, to provide for better control of the interstate traffic in firearms, debate on any Committee amendments be limited to 1 hour and debate on any other amendment, except any amendment proposing Federal registration and/or licensing, upon which no time limitation is ordered, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.
>
> *Ordered further*, that on the question of the final passage of the said bill debate shall be limited to 6 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on any amendment or on the passage of the said bill, allot additional time to any Senator during the

consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement?

Mr. HRUSKA. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. Yes, indeed.

Mr. HRUSKA. The proposal not to have any time limit upon any amendment which provides for Federal registration or licensing should be limited to Federal registration or licensing of sporting firearms.

Mr. MANSFIELD. I make that correction. That was inadvertently left out.

Mr. HRUSKA. Because there is an amendment on registration of machineguns upon which we are in agreement.

Mr. MANSFIELD. I will make that correction.

Mr. JAVITS. Mr. President, it is understood that there will be no rollcall vote until 3 o'clock on Monday?

Mr. MANSFIELD. That is correct.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request, as modified?

Mr. MANSFIELD. Mr. President, for the information of the Senate, I think it should be stated definitely now that the first rollcall vote will occur no sooner than 3 p.m. on Monday next. I think I had better add that to the unanimous-consent request, so that we will tie down that dictum.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, as modified, was subsequently reduced to writing as follows:

Ordered, That, effective on Monday, September 16, 1968, at the conclusion of routine morning business, during the further consideration of the bill S. 3633, a bill to amend title 18, USC, to provide for better control of the interstate traffic in firearms, debate on any Committee amendments be limited to 1 hour and debate on any other amendment except any amendment proposing federal registration and/or of sporting firearms licensing, upon which no time limitation is ordered, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

Ordered further, that on the question of the final passage of the said bill debate shall be limited to 6 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on any amendment or on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Ordered further, That no rollcall vote be had prior to 3:00 p.m., Monday, September 16, 1968.

ORDER FOR ADJOURNMENT UNTIL 12 NOON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the previous order calling the Senate into session at 11 o'clock on Monday next be vacated, and that when the Senate completes its business today, it stand in adjournment until 12 noon on Monday next.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

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 a bill (H.R. 18707) making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 18707) making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

GUN CONTROL ACT OF 1968

The Senate resumed the consideration of the bill (S. 3633) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms.

Mr. CHURCH. Mr. President, since first coming to the Senate, I have opposed Federal firearms legislation as a misconceived attempt to deal with big city crime at the expense of the countryside of America.

In overwhelming numbers, the people of my State agree with me. Nearly 60,000 of them have joined me by signing their names to my petitions opposing the enactment of any Federal gun laws.

The wording on these petitions, to which Idahoans so strongly subscribe, is as follows:

I agree with Senator Church that guns are part of the wholesome, outdoor, Western way of life. I also agree with him that if individual states want gun control laws, they have the right to enact them. But I support Senator Church in his opposition to the Dodd Bill and all other Federal gun law proposals.

We in Idaho have a different way of life than any found in the East. In our experience, hunting rifles and shotguns are implements of outdoor sport, not instruments of violence and anarchy. Many participate during our hunting seasons, but snipers do not tyrannize our cities or our towns. That is why Idaho sheriffs and police officers have joined, by the hundreds, in signing these petitions—those very men who are charged most directly with the enforcement of the law.

Most Idaho families keep guns. Yet our crime rate is much lower than the national average. Guns are associated with fly rods and spinning reels—not with murders and criminal assaults. We have not found it necessary to restrict the purchase of firearms for the purpose of maintaining good order.

That is why 60,000 Idahoans, from al. walks of life, joined in signing these petitions. And, I might add, their signatures were affixed in a very short space of time. If the petitions had been circulated a little longer, I have no doubt that twice as many signatures could easily have been secured, which I think is dramatic evidence of how strongly the people of my State feel on this issue. It must be remembered, Mr. President, that the total population of Idaho, including men, women, and children, is less than three-quarters of a million.

The list of signatures to which I refer, it should also be said, bears no correlation whatever to the membership of the National Rifle Association, or to that of any other particular organization.

Having said this, let me stress that we in Idaho are not unmindful of the rising crime rates in the Nation. FBI reports indicate an 89-percent increase in nationwide crimes since 1960—a fact which cannot be ignored. Nor can it be denied that many of these crimes are committed with guns.

Recognizing this reality, we in Idaho do not claim the right to decide what the gun laws should be for California or New York or Illinois, or any other State or city confronted with the problem of spreading crime. We seek only to be master of our own house. Our disagreement lies, not with the existence of the crime problem in the big cities, but rather with the remedies here proposed.

For years, New York City has had strong gun control laws. Only about 17,000 of the municipal population—which exceeds some 7 million—are legally entitled to possess handguns. Yet, Mr. President, we all know that there is a vast arsenal of handguns illegally possessed in New York City. We all know that crime continues to climb in New York City. In 1965, the rate per 100,000 persons for the crimes of murder, robbery, and aggravated assault was 244.2. In Idaho, which has no such gun restrictions, the 1965 rate for the same three crimes was 65.7.

In 1966, the murder rate in New York City was among the top 25 in a listing of America's largest cities, and the aggravated assault rate there was among the top 10. This year, New York City, despite the failure of earlier experience, adopted an even stiffer gun control ordinance. A need was felt for even stronger local legislation. We in Idaho see no such local need in our own State or in our own cities, and we oppose Federal gun controls because they wrap all States, large and small, in the same blanket.

Indeed, Mr. President, it is fair to say that if we in Congress approach the problem of crime control by passing uniform laws on the acquisition of firearms, then inevitably these laws will be drawn to accommodate the crime problems in the large cities, and they will be inappropriate and undesirable in States like my own.

I think that regulating the acquisition of guns can be dealt with effectively by the States and cities of the country, depending upon the particular problems that confront them. New York City's action is proof positive that big cities can act for themselves in the matter of gun

controls if they are willing to do so. The big city States can also enact their own laws to meet their particular needs, either to prevent civil disorder or to combat crime in the streets.

Mr. President, I know it is argued that uniform national standards are necessary in order to avoid the circumvention of State and local laws by people so determined to obtain a gun that they are willing to go into an adjoining State where tax laws permit them to purchase weapons that they could not purchase in their own home State or locality.

It seems to me that the weakness of this argument is apparent. If anyone is so determined to obtain a gun that he is willing to travel out of his own State to some distant place to obtain it, and if the purpose of securing the gun is to do violence with it, then it seems to me perfectly obvious that such a person would find other ways to obtain a gun, regardless of the laws passed by Congress.

Mr. President, I am persuaded that the various proposals for Federal registration or Federal licensing of gun owners will only have the result of reaching the law abiding, while the criminal element, true to its time-honored custom, will simply continue to ignore these laws.

The defect in Federal firearms legislation is that it casts all cities and States in the same mold, when differing conditions clearly call for differing solutions, not uniform Federal controls.

Proponents of Federal gun legislation defend their position by maintaining that while the country would have to pay the price of conformity to a single standard, the resulting benefit would be great. But is this benefit really demonstrable?

Perhaps the most thorough-going study of the legislative regulation of firearms was completed last fall by the American Bar Foundation. I quote from their report:

> A fundamental assumption of those who support the drive for stricter regulation of firearms is the belief that easily available weapons are a stimulus to crime, and that absence of weapons would significantly reduce criminal activity. In our own inquiry, we have discovered no convincing evidence on this question.

The report continues:

> Other factors almost certainly outweigh the presence of firearms as a cause of crime. Among the variables which must be considered are: population size and density, economic conditions, degree of social, racial and religious homogeneity and community attitudes toward crime in general and guns in particular.

Mr. President, I must say that the research work of the American Bar Foundation, concerning the experience to date with firearms regulation by Federal, State, and local governments, gathered and analyzed in this report, is very impressive indeed.

On the basis of this exhaustive study, the American Bar Foundation researchers found evidence for gun laws so wanting they were unwilling to take a position on the effectiveness of such laws. They concluded that passage of gun control legislation could be justified only as an "experiment with social reform."

If this is so—and I think that the serious and objective research of the American Bar Foundation is worthy of credence—then the place for these experiments is in those States and localities which deem it wise, necessary, and desirable to experiment. That, indeed, is the genius of our system.

We are a vast country of continental dimensions. So large and diverse are we that we suffer from a lack of effective communication even as between one region of the country and another. That is why it is so difficult for my eastern friends to understand my position against gun controls. To them, guns connote crime. To us in Idaho, guns connote sport.

With differences so wide, our Founding Fathers were wise enough to establish a system of government that would permit States and localities to legislate for themselves. They resisted the centralization of power that so characterized the political regimes in other lands, where all laws were imposed by one sovereign authority, from one central source, from one national capital.

Thus, the supposed benefit of the legislation we are considering here suffers from a conspicuous absence of convincing evidence.

This being so, Mr. President, we must then ask what the cost will be in enacting legislation of such questionable merit?

Last year, I testified before the Senate Subcommittee on Juvenile Delinquency. I said:

> If Federal control of firearms becomes our chosen method for dealing with big-city crime, do we not stand now at the threshold of the course? Once commenced, who here can foretell how far the pursuit will carry us? Is this but the opening wedge, the first concession to expanding Federal control which will grow larger with the passing years?

These remarks were directed toward Federal control over mail-order gun traffic. Now, a few short months later, the Senate is already discussing Federal registration of all firearms, and Federal licensing of all gun owners.

At this rate, proposals will soon be before us to shift the primary focus of law enforcement from State and local governments, where it has traditionally resided, to the National Government.

Law enforcement has always been a local responsibility in this country. Over 90 percent of all full-time non-Federal police officers are located at the local level. Over 70 percent of law enforcement expenditures are also at the local level.

New York City alone has almost as many policemen as the total number of State law enforcement officers in all other States. Los Angeles County, Calif., has more police and law enforcement officers than the entire Federal Government.

Nevertheless, proponents of registration and licensing appear ready to compel the States to adopt their proposals, with the threat that if the States do not do so, the Federal Government will then intervene to register the guns and license the gun owners.

Such a legislative mandate is nothing less than an ultimatum. It is an outright denial of our long tradition of local law enforcement. In the name of "protecting our citizens," it would effect a complete reversal of historical Federal-State relationships in the field of law enforcement.

The President himself recognizes the necessity for leaving primary jurisdiction to State and local governments in the field of law enforcement. In his message to Congress on crime (H. Doc. 53), Lyndon B. Johnson acknowledges:

> Our system of law enforcement is essentially local: based on local initiative, generated by local energies, and controlled by local officials.

The President's Crime Commission reported:

> The entire system represents an adaptation of the English Common law to America's peculiar structure of government, which allows each local community to construct institutions that fill its special needs.

Speaking on this subject, J. Edgar Hoover has said that a unified national police force could easily lead to a police state; and in this regard I find myself in complete agreement.

Mr. President, I cannot believe we can strengthen our system by supplanting State law with Federal law. Every other congressional action in the fight against crime has taken the form of aid to State and local law enforcement agencies—help of the kind that can be given without impairment of State and local jurisdiction.

The glaring exception is firearms control.

Thus, while the benefit to our country of uniform Federal gun legislation is unproven, the cost to our country could well be very great.

Mr. President, we in Idaho do not deny that crime is a growing menace in the big cities. Along with the country as a whole, we are awakening to its danger, and we are agreed that action must be taken to control it. But we ask that solutions be sought in reasoned ways, with recognition that the problems in Idaho are different from those in the populous Eastern States.

We also agree that the Federal Government should help to combat the spread of crime. There is much that can be done. Congress can strengthen the State and local law enforcement agencies, as we have begun to do with the passage of the anticrime bill earlier this year. But, Mr. President, that bill, while contributing Federal help to the States and local communities in the training and modernizing of their law enforcement agencies, kept the primary responsibility for the maintenance of law and order where it belongs—in the States and the cities of our land.

Eleven years ago, shortly after I began my service in the Senate, I declared my opposition to Federal gun controls, in a published interview. I said then:

> It is an affront to place regulation upon the right of the people of my State to keep and bear their sporting arms. The fact that they look with an extremely suspicious eye upon any attempt to tamper with that right in any way, and have written to me in such numbers and with such an evident sense of outrage, shows the strength of the tradition and heritage of which I speak.

Mr. President, my position remains the same today. I shall vote against all proposals to expand Federal gun controls.

Mr. DODD. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. DODD. Mr. President, I have listened with great interest, and I hope with great care, to what the Senator has said about the pending bill. I may have misunderstood him. Did the Senator say that the American Bar Association had refused to espouse this Federal gun control bill? I may have misunderstood.

I point out why I ask the question: I received a letter from the American Bar Association affirming their support for the firearms control bill. The letter is dated December 4, 1967. So far as I know, that is their attitude.

Mr. CHURCH. I referred, in the course of my remarks, to the conclusions reached by the American Bar Foundation on the basis of its research of existing law on firearms—Federal, State, and local—and the conclusions of those researchers.

I am certain that the Senator is correct with respect to the position of the American Bar Association, on the pending bill. But my reference had to do with the American Bar Foundation and its research, and I quoted from the conclusions of that particular report.

Mr. DODD. Mr. President, will the Senator yield further?

Mr. CHURCH. I yield.

Mr. DODD. Is the American Bar Foundation a part of the American Bar Association?

Mr. CHURCH. I believe that it is. I understand it to be a research organization affiliated with the American Bar Association.

Mr. DODD. I was not aware of that, but I am pleased that the matter has been clarified with respect to the American Bar Association.

I noted the Senator referred to the strict gun control law in New York City, and in the State of New York, and he pointed out that, even with those controls, there is a vast arsenal of handguns illegally held. I do not know how vast it is, but I am sure it is true that this is a problem.

I invite the Senator's attention to the fact that this is one of the best reasons why we need a Federal gun control law. I ask the Senator to think about it. It is a dramatic example of one State having a good law with respect to firearms, and yet it is being flooded with guns illegally, because the people go out of the State and buy them in States with lax gun laws—and there are many such States—or they get them by mail order.

What can the New York authorities do? They do not even know that these guns have been bought; they do not know who owns them; they do not know where the guns are.

If every State had a good gun law, I do not believe this would happen. I do not say that there would not be violations. I wonder whether the Senator would agree that this bill would reduce the possession of guns by people who should not have guns.

Mr. CHURCH. I would agree that it would establish a uniform standard applicable to the entire country. My disagreement with the Senator is that I believe the criminal element will ignore Federal law, as it has ignored State and local law, and that the black market in guns would make them easily accessible to those who are determined to commit crime.

I simply do not have any confidence that we can deny guns to the criminal element by laws of this kind, whether they are Federal, State, or local in character.

Mr. DODD. I invite the Senator's attention to the fact that we have had a proposed uniform gun law for the States to approve. It was promulgated by the American Bar Association in 1930.

Since that time only five States and the District of Columbia have adopted it, five States in 38 years. I quite agree it would be highly desirable to have uniform State laws. I wish we did have uniform State laws, but if what I have just cited is any example at all there does not seem to be any hope at all for uniform action at the State level. And this is another reason, I say most respectfully to the distinguished Senator from Idaho, we have to do something about it.

For example, we are faced with a situation such as that which exists in New York City and New York State. I can think of other big cities. For instance, Philadelphia has a gun control law but it has a problem. Its gun control law is applicable only in the city of Philadelphia and does not apply in the State of Pennsylvania. The State of Pennsylvania tried to pass a gun control law, but the National Rifle Association lobbied in the legislature and the measure was defeated. That is going on all over the country.

If the distinguished Senator from Idaho does not already know, I am sure it will be interesting to the Senator that New York, which is mentioned as a great crime city, has only one-half the percentage of murders by gun as does the State of Idaho. Idaho has a pretty good record. I do not want to be misunderstood as saying anything else, but I believe it has a gun problem. Idahoans are good sportsmen and they are good people.

I do not wish to get into an argument with the Senator. I have too much respect for him and for his views. The Senator was a valuable witness before our committee and we listened to him with great respect.

Mr. CHURCH. Mr. President, I appreciate the courtesy of the Senator from Connecticut. We have honest differences of opinion as to the best method of dealing with this problem, but I know the position he takes is a very conscientious one.

(At this point, Mr. SPONG assumed the chair.)

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. CHURCH. I am happy to yield to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, it was my misfortune not to be in the Chamber during the entirety of the statement by the Senator from Idaho, although I was here part of the time. That part of the colloquy between the Senator from Connecticut and the Senator from Idaho having to do with the desirability of uniform State laws in regard to registration interests me very much.

Early in the business of Government this Senator learned that unequal circumstances and conditions call for different treatment.

One of the great difficulties of Federal legislation is to impose on the 50 States with their greatly varying conditions an inflexible set of laws or rules. I submit in all humility, but with a great deal of earnestness, there is a difference of conditions between the city of New York and those which prevail in Nampa, Idaho. I have been in both places.

Mr. CHURCH. They are worlds apart.

Mr. HRUSKA. They are worlds apart in the kinds of life, climate, geography, heritage, tradition, and the use of many things, not only guns.

As a thought, I would suggest the penalties for violating registration or licensing provisions of a Federal law would be very, very severe. In the western country we have many occasions to get into the matter of trading guns and improving one's position, just as many young people do now in the matter of automobiles. A $30 single-shot rifle will be bought; then the person might save $30 more and trade that rifle for something better. The same thing is true with respect to the more expensive rifles and expensive shotguns.

With the necessity of detailed recordkeeping in the pending licensing and registration amendments, if there were one mistake, the overlooking of something, and getting into a position of where there would be an arrest by a Federal officer, there could be a severe penalty on a lawful but technically negligent user of a gun.

I do not believe we are ready in this country yet to get into that kind of situation or to visit that kind of harshness on our law-abiding citizens. There would be a great possibility of the tyranny of bureaucrats who would have to go the length and breadth of the land to ferret out violations and to insure observance for the letter of the law, so that violators must be punished.

Does the Senator from Idaho have any comment on that type of reasoning with which I am constantly met?

Mr. DODD. Mr. President, I think the Senator said he was talking about registration. I was not talking about registration.

Mr. HRUSKA. I was.

Mr. CHURCH. Mr. President, in response to the question by the Senator from Nebraska, I not only worry about the matter that he has brought up, but I know of the feeling of the people of Idaho. Whether it is the product of the outdoor sporting life that the people of my State lead, or whether it is a part of the still-fresh heritage of the Western frontier, I cannot say for sure, but I can say with certainty that the feeling against any attempt by the Federal Government to impose registration or licensing on gun owners would be so fierce that the law would become a mockery.

It is very unwise to attempt to impose laws viscerally opposed by a large majority of the people in any given region. We have had experience with this, although our memories are short and we tend to forget. I recall the experience—I cannot recall it personally because I

was very young at the time but I have read about the experience—that this country had with prohibition.

Mr. HRUSKA. And the Senator hears tell now and then.

Mr. CHURCH. Yes, I hear tell what happened when an attempt was made by amending the Constitution to outlaw the manufacture and sale of alcoholic beverages. The law soon became a mockery. The general violation of the law was so widespread that it was quite impossible for police officials to enforce it. In the end, even the most zealous believers in prohibition had to concede the failure of the experiment.

Mr. HRUSKA. And in the process of enforcing that law there was constant repudiation by jurors when the issue was put to them to bring in a verdict of guilty, and especially in cases where the judge could not comment on the evidence or instruct the jury. The matter was made a mockery of the law and our judicial system.

Mr. CHURCH. The Senator is correct. As a result, respect for the law suffered. I cannot help but believe that if this Congress enacts Federal registration of firearms or Federal licensing of gun owners, and then attempts to enforce that law in the Western States, we will see the same general resistance on the part of the public that occurred during prohibition days, with the same unfortunate result in the weakening of our governmental structure, our courts, and popular regard for the law. That is very serious, and people who hold a different opinion, because they live in big cities, and have a different attitude toward guns, may not be able to appreciate the profoundly regrettable consequences that will attend the passage of legislation of this kind.

Mr. HRUSKA. On another point, there is a provision in the bill as reported by the committee on shotguns and rifle ammunition, including .22 caliber rimfire, which is exempted. As amended by the committee, long gun ammunition would not be subject to Federal regulation. The committee bill includes only ammunition for handguns and destructive devices. An attempt will be made to strike that amendment and to include all ammunition for detailed recording and, in my judgment, very minute regulation, including entry in a permanent book by the licensed dealer of the date, quantity, price, address of the purchaser, and so forth.

To refresh the recollection of the Senator from Idaho, the statute which preceded title IV of the Omnibus Crime Control Act was the Federal Firearms Act of 1938. That law included handgun ammunition. However, it was never enforced. Officials from the downtown departments testified that they could not enforce it. It was not enforceable. In fact, in the administration proposals of the 90th Congress, up until this most recent proposal, ammunition was not even mentioned as one of the items that would be regulated and controlled.

What would the judgment of the Senator from Idaho be as to the sentiment and the actions of people in territory like the State of Idaho in regard to long gun ammunition being closely regulated?

Mr. CHURCH. I think it is perfectly clear that the overwhelming attitude of the people of my State would be the same with respect to access to ammunition as it is with respect to guns.

Mr. HRUSKA. I recall there was testimony in 1967 when the distinguished Senator from Idaho commented on that very subject.

The testimony is included on page 425 of the Senate firearms hearings. Briefly, taking an excerpt from the testimony, the following was said:

> I say that because so many Idaho people depend upon these country stores for their ammunition supplies, and there is very little profit in it for the stores. Some of them, I think, would find, if the committee were to choose to adopt license fees that would impose a serious burden on the small dealers, then I can see many of them simply quitting the line, and a great many citizens of my State would then have to sometimes travel a hundred miles or more into a larger city in order to get ordinary ammunition supplies for their guns.
>
> Chairman DODD. The bill does not cover ammunition.
>
> Senator CHURCH. Well, it covers dealers with guns and ammunition, and most of these dealers do carry both.
>
> Chairman DODD. I think a careful reading will indicate that we really do not include ammunition. We went all through that a couple of years ago, and I think it was unanimously decided that because of the cases you cite, the small crossroads dealer, we would eliminate ammunition.

I call that to the attention of the Senator from Idaho, and I am hopeful that the committee amendment to the bill, and the bill as reported by the committee, will be sustained, so that we can lend reality to the views we had arrived at as a result of nonemotional and thorough study, as well as expert opinion.

Mr. CHURCH. I fully share the hope and the position of the distinguished Senator from Nebraska.

Mr. HRUSKA. I thank the Senator from Idaho for his courtesy.

Mr. CHURCH. Mr. President, I yield the floor.

Mr. DODD. Mr. President, I have before me the Uniform Crime Report of 1967 issued by the FBI.

On page 113 of the report, table 22 reflects the percentage of persons murdered by firearms, by State from 1962 through 1967.

It shows for the State of Idaho that the total number of murders was 132, and 68.2 percent of those murdered were shot to death.

It shows for the State of New York that the total number of murders was 4,835—of course there are millions of people living there with the percent by use of firearms, only 34.9 percent—about half that of Idaho.

Mr. President, when we consider the dense urban population and all the problems attendant to metropolitan living in a city the size of New York, I think these facts bear great testimony to the necessity for strict gun control legislation. It is proof positive, I think, by the figures I have just given, that New York has a low percentage of gun murder despite the fact that it is densely populated. Yet it is picked on by so many people who say that New York has strict gun controls, but still has many gun murders.

As I have said previously, New York's murders are not the result of strict gun control. Rather, that city suffers because other States do not have such laws. That is one reason why we are trying to do something about the interstate situation. I do not want to belabor this point, but I think it is absolutely necessary that this be said.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. HRUSKA. I suppose I should almost apologize to the Senate for reentering into the discussion of the percentage of murders that are committed by guns in a given State. Many a time the Senator from Connecticut and I have engaged in the same kind of discussion we are going to engage in now.

The figures in the crime reports can be used for a number of purposes and with differing results. So the percentage of murders committed with guns in the State of Vermont in 1 year was 100 percent. There were two or three murders in Vermont, all of them with guns. What does that prove? It seems to me that percentage standing alone does not mean so much.

What is the rate of murders per 100,000? The book that has been cited by the Senator from Connecticut bears figures on that subject, because on page 71 of the 1967 Uniform Crime Reports we read the number of murders and nonnegligent manslaughters committed in the State of Idaho, and the rate per 100,000 is 4.3 percent.

In the State of New York—and this figure gives the benefit of the doubt to Upstate New York, which is more law-abiding in this regard than the metropolitan area—the rate is not 4.3 percent; it is 5.4 percent per 100,000.

In my good State of Nebraska, the rate is 2.7 percent per 100,000.

In due time, the Senator from Nebraska will place in the RECORD a table showing that in those States—the so-called weak gun control States—the number of murders and nonnegligent manslaughter cases is far lower than in the large metropolitan areas and that, therefore, any murder committed with a gun counts in a higher percentage.

If we are going to get into the business of figures and statistics, let us go all the way. It seems that if one does enough hand-picking, balancing, and meandering through the tabular records of this kind of report, he can prove almost anything he wants. But certainly with respect to the specific proposition of a greater percentage of murders being committed with guns in one State as against another, it is of doubtful value in an argument as to this particular bill.

That goes beyond the proposition that there is no connection shown with the impact of a bill such as the one we are now considering or an amended one provided for licensing and registration. It goes beyond the impact that that would have on those figures.

Again and again we draw attention to the situation in New York State, which has had the Sullivan law for 50 years. Commissioner Leary testified recently before the Senate subcommittee that in 1967 the police picked up about 20 handguns a day, handguns illegally held by the persons from whom they were seized. That would mean 7,000 in 1 year.

In previous years, in the not too distant past, the total has been as high as 10,000 guns a year, this under one of the most restrictive kinds of laws that can be enacted, because it amounts virtually to prohibition.

So what kind of impact will this proposal have on gun crimes? If a person plans to commit a crime and believes strongly enough that he will profit by the crime, the fact that there will be an additional penalty if he uses a gun will not deter him. The proof of this is seen in the situation that exists in New York.

I suppose, Mr. President, that I should apologize to the Senate. I suppose I should apologize for the patience of the Senator from Connecticut, because he will have his usual rejoinder to the rebuttal I have made of his argument. I think, unless something new has been added, it will be the same type of rejoinder that he has engaged in on many previous occasions.

Mr. DODD. Mr. President, I lament the fact that I have not been more persuasive with the Senator from Nebraska. Yes, we have talked about this many times before. I have heard the position he has taken many times before. Having heard it again, I am not any more impressed now than I was then.

Vermont has a very small population. The figures I read from the FBI uniform crime reports were for 5 years. The Senator read the figures for 1 year. There were only two or three murders that year. But Vermont does not have any deterrent gun law. If it had only two murders in 1 year, I think that is a fine thing, but, actually, over the period of 5 years from 1962 through 1967 it had 26 murders and 83.3 percent of them were committed with guns.

Mr. HRUSKA. In the State of Vermont?

Mr. DODD. Yes.

Mr. HRUSKA. That is for 5 years; is it not?

Mr. DODD. Yes.

Mr. HRUSKA. So, instead of two or three in 1 year, Vermont had five each year, on an average.

Mr. DODD. I did not raise the issue of Vermont. I am not trying to pick on it. It is a beautiful State, with a small population. It does not have adequate gun laws, and I do not think it is to be compared with the problem in New York City. Density of population is a very important factor when we talk about crime and the rate of crime and the weapons that are used in crimes, particularly murder.

I just think this must be said: The analysis of murder rates, percentage of murder by gun, and population density of the United States, by geographic regions, which appears on page 731 of the hearings before our committee, shows—and it should be pointed out—that the population density of New York is 350.1 people per square mile while the population density of Idaho is only 8.1 people per square mile. Despite that fact, the murder rate for New York was 4.8 per hundred thousand while the Idaho murder rate was three per hundred thousand.

As the Senator from Nebraska has pointed out, this is a debate we have had on a great many occasions.

Mr. HRUSKA. Is that 3 percent or three per 10,000?

Mr. DODD. It is the murder rate.

Mr. HRUSKA. Per 100,000?

Mr. DODD. Per 100,000.

Mr. HRUSKA. Not 3 percent.

Mr. DODD. Yes; that is the murder rate.

I wanted to point out to the Senator the importance of the density factor. Every expert, certainly in the field of law enforcement, considers it a very important factor. I do not know how it could be otherwise considered.

I know the danger of using statistics. They can be sometimes misused. I know the Senator from Nebraska does not intend to do that. Neither do I. But we are faced with the important factor of density of population, and it is the No. 1 factor listed by the FBI. In the crime factors listed on roman numeral page 6, the first factor is "Density and size of the community population and the metropolitan area of which it is a part." So we cannot talk about the subject and not take that factor into consideration.

Mr. HRUSKA. Mr. President, will the Senator yield for a brief question?

Mr. DODD. I yield.

Mr. HRUSKA. In what order is the availability of guns among the factors which were referred to by the Senator?

Mr. DODD. I was not talking about the availability of guns. I was talking about social factors.

Mr. HRUSKA. No, but we are talking about factors of crime, and density of population was listed as a factor.

Mr. DODD. Yes.

Mr. HRUSKA. Is it not a fact that availability of guns is not even listed as a factor?

Mr. DODD. It is not listed there because the Director of the Federal Bureau of Investigation considers the availability of firearms so important he usually devotes special entire sections in these reports concerning guns and crime. He considers it that important. I do not not know of anyone who does not. I doubt that the Senator from Nebraska would disagree. Of course, the question of the availability of guns is important. I think that is what this proposal is about. Are we going to make guns available to criminals, children, drug addicts, and other persons afflicted with defects? That is what we are trying to stop.

Mr. HRUSKA. That is not what we are discussing right now, if the Senator will yield.

Mr. DODD. We may not be discussing it, but it is the basic purpose of undertaking what we are trying to do. I think the Senator is, too. I do not see how we can get away from it. The FBI says that last year 7,600 murders were committed in this country with guns, and 52,000 aggravated assaults, and 73,000 robberies. I think that is a terrible situation. Obviously, State laws are not adequate. The number is going up every year. More and more people are being killed, robbed, and assaulted, and yet people stand here and in other places and say, "It is all right; just leave it up to the States." I say we are long past that point. If the States had uniform gun laws, we might get somewhere with this problem. But, as the Senator well knows, we do not have that situation in America today and that is what brought about, in my judgment, the effort to get some Federal controls. It is one of the things that has brought it on.

I do not think we would be here at all today if, back in 1930 and the years that have followed, the States had adopted good, uniform gun control laws.

But almost every time that States tried to enact gun laws, they had these very effective lobbyists here in Washington saying, "Leave it up to the States"; then they would go to those State legislatures and defeat the efforts to get good gun control laws. They were switching the American people back and forth like a shell game. If they had had any sense, they would have permitted the passage of good State gun control laws.

Mr. HURSKA. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. HRUSKA. Mr. President, I deplore as much, and if it were possible I would deplore more than the Senator from Connecticut, the number of crimes committed. The statistics are horrible, and they are getting worse every day. No one deplores that more than I; and I have been a member for 10 years of the Committee on the Judiciary, on which both the Senator from Connecticut and I serve.

But there must be a connection shown, Mr. President, between a measure proposed and the ability of that measure to make an impact on the crime rate.

So often we hear, "If we only had a strong Federal law because these strong gun law States are much better off than the weak gun law States."

What is a strong gun law State, and what is a weak gun law State?

To be specific, let us get to the situation in Mississippi, where there is a penalty for carrying deadly weapons, and where there is a statutory requirement that there be state registration of handguns and high powered rifles. The statute reads:

> Every person in this State who now owns or has in his possession, or who shall hereafter acquire, any pistol or revolver, or any machine gun must register that weapon.

What is the rate per 100,000 for murder and nonnegligent manslaughter in Mississippi? I do not single out Mississippi, but we are kicking around statistics. It is 8.7. At page 73 in the 1967 Uniform Crime Reports, the figure is listed as 8.7.

Now we go to New York City. Figures have been quoted here at 4.8 for New York. I presume that was the State of New York. But when Mayor Lindsay was before our committee this summer, he testified:

> During 1967, 746 persons were murdered in New York City. This is a terrible loss of life, but viewed objectively, our homicide rate was tenth among the ten largest cities of the Nation. Our rate was 9.6 per 100,000 persons, Mr. President. The highest ranking city reported a rate of 26 homicides per 100,000 population.

So where do we get, in this business of statistics and strong and weak gun laws?

As a final suggestion, and then I shall permit the Senator from Connecticut to proceed unimpaired by my interruptions, at least, I should like to ask that page vi

of the 1967 Uniform Crime Reports, entitled "Crime Factors," be printed in the RECORD at this point.

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

CRIME FACTORS

Uniform Crime Reports give a nationwide view of crime based on police statistics made possible by the voluntary cooperation of local law enforcement agencies. Since the factors which cause crime are many and vary from place to place, readers are cautioned against drawing conclusions from direct comparisons of crime figures between individual communities without first considering the factors involved. The national material summarized in this publication should be used, however, as a starting point to determine deviations of individual cities from the national averages.

Crime is a social problem and the concern of the entire community. The law enforcement effort is limited to factors within its control. Some of the conditions which will affect the amount and type of crime that occurs from place to place are briefly outlined below:

Density and size of the community population and the metropolitan area of which it is a part.

Composition of the population with reference particularly to age, sex and race.

Economic status and mores of the population.

Relative stability of population, including commuters, seasonal, and other transient types.

Climate, including seasonal weather conditions.

Educational, recreational, and religious characteristics.

Effective strength of the police force.

Standards governing appointments to the police force.

Policies of the prosecuting officials and the courts.

Attitude of the public toward law enforcement problems.

The administrative and investigative efficiency of the local law enforcement agency, including the degree of adherence to crime reporting standards.

Mr. HRUSKA. I thank the Chair, and I thank the Senator from Connecticut for his courtesy.

Mr. DODD. Mr. President, I am always very pleased to yield to the Senator from Nebraska. He is always worth listening to, and always makes a contribution of value to the discussion.

However, I call his attention to the fact that I think he is somewhat mistaken about the situation in Mississippi. I have here before me a digest of the provisions of the Mississippi State firearms law, and I think the Senator will be interested to know that it was put out by the National Rifle Association.

Mr. HRUSKA. Will the Senator yield? Is this an edited memorandum that he is reading, or is he reading the text of the law?

Mr. DODD. I am reading the digest of the principal provisions of the Mississippi State firearms law, prepared by the National Rifle Association.

Mr. HRUSKA. Then the Senator is citing the NRA. The citation I made was of the statute, the text of which is before me.

Mr. DODD. Maybe they are alike. The Senator has not heard what this says.

Mr. HRUSKA. I did not say, but I say, now that the reference to Mississippi is brought in—and, of course, the inevitable reference to the NRA; whenever there is an opportunity to bring those magic letters into the discussion, they are brought—but the material I referred to, when I discussed the situation in Mississippi, comes from the Mississippi code annotated, the text, in its entirety.

Mr. DODD. Well, that is a very good source, and I do not have any argument about that. I take it that the Senator would accept the digest prepared by the National Rifle Association as being accurate?

Mr. HRUSKA. Well, I do not know. I have not seen it. I have not studied it as much as the Senator from Connecticut has.

Mr. DODD. Well, I shall offer it. I have found, in my own experience, that their staff, who work on these digests, do a pretty good job.

Mr. HRUSKA. So that they are accurate in their representations in their digests of the law, and on other subjects they are not?

Mr. DODD. I would not say as to other subjects.

Mr. HRUSKA. The Senator would not go quite that far?

Mr. DODD. I would not say that.

Mr. HRUSKA. Of course, the Senator is an authority on the subject.

Mr. DODD. I simply said I have found they are accurate in these digests.

But in any event, I think the Senator will find this is so; that in Mississippi, about the only gun control relates to very high velocity weapons. I believe it covers weapons having a muzzle velocity of more than 2,000 feet per second that must be registered with the county sheriff. But no gun permit or license is required to buy a gun, or carry it, for that matter, a hand gun or a rifle or a shotgun. I do not think that is a very strong law.

I also ask unanimous consent, Mr. President, that the table appearing on page——

Mr. HRUSKA. Mr. President, will the Senator yield when he completes that request?

Mr. DODD. It is the table on page 731 of the record of the 1967 hearings of the Subcommittee on Juvenile Delinquency.

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

ANALYSIS OF MURDER RATES, PERCENTAGES OF MURDER BY GUN, AND POPULATION DENSITY OF THE UNITED STATES, BY GEOGRAPHIC REGIONS

	Murder rate	Percent by gun	Population density
1. Northeastern States:			
Connecticut	2.0 (42)	48.3 (43)	517.5 (4)
Maine	2.2 (39)	52.3 (40)	31.3 (36)
Massachusetts	2.4 (38)	35.5 (47)	654.5 (3)
New Hampshire	1.9 (43)	66.7 (13)	67.3 (25)
Rhode Island	1.4 (50)	24.0 (49)	812.4 (1)
Vermont	1.5 (49)	100.0 (1)	42.0 (32)
2. Middle Atlantic States:			
New Jersey	3.5 (31)	38.6 (46)	806.7 (2)
New York	4.8 (23)	31.8 (48)	350.1 (5)
Pennsylvania	3.2 (32)	43.2 (45)	251.5 (7)
3. North Central States:			
Illinois	6.9 (16)	54.8 (38)	180.3 (10)
Indiana	4.0 (29)	61.6 (27)	128.9 (12)
Michigan	4.7 (24)	45.9 (44)	137.2 (11)
Ohio	4.5 (26)	60.3 (29)	236.9 (8)
Wisconsin	1.9 (44)	55.9 (35)	72.2 (22)
Iowa	1.6 (47)	61.9 (25)	49.2 (28)
Kansas	3.5 (30)	64.2 (20)	26.6 (37)
Minnesota	2.2 (40)	56.7 (34)	42.7 (31)
Missouri	5.4 (21)	65.5 (18)	62.5 (27)
Nebraska	1.8 (45)	70.3 (8)	18.4 (38)
North Dakota	1.8 (46)	17.4 (50)	9.1 (43)
South Dakota	1.5 (48)	66.7 (12)	8.9 (44)
4. South:			
South Atlantic:			
Delaware	8.2 (11)	58.0 (33)	225.6 (9)
Florida	10.3 (6)	66.0 (17)	91.3 (17)
Georgia	11.3 (3)	66.6 (14)	67.7 (24)
Maryland	7.0 (15)	48.6 (42)	314.0 (6)
North Carolina	8.7 (10)	68.5 (10)	92.9 (16)
4. South—Continued			
South Atlantic—Continued			
South Carolina	11.6 (2)	73.3 (2)	78.7 (19)
Virginia	6.5 (17)	60.9 (28)	99.6 (14)
West Virginia	4.2 (27)	63.9 (21)	77.3 (20)
East south central:			
Alabama	10.9 (4)	59.6 (31)	64.0 (26)
Kentucky	7.0 (14)	73.0 (3)	76.2 (21)
Mississippi	9.7 (8)	70.9 (7)	46.1 (29)
Tennessee	7.8 (12)	66.4 (16)	85.4 (18)
West south central:			
Arkansas	7.1 (13)	65.0 (19)	34.0 (34)
Louisiana	9.9 (7)	61.6 (26)	72.2 (23)
Oklahoma	5.5 (20)	61.9 (24)	64.0 (26)
Texas	9.1 (9)	68.7 (9)	36.5 (33)
5. West:			
Mountain:			
Arizona	6.1 (18)	66.4 (15)	11.5 (41)
Colorado	4.0 (28)	58.7 (32)	16.9 (40)
Idaho	3.0 (33)	60.0 (30)	8.1 (45)
Montana	2.8 (35)	72.0 (5)	4.6 (47)
Nevada	10.6 (5)	66.9 (11)	2.6 (49)
New Mexico	6.1 (19)	63.7 (22)	7.8 (46)
Utah	2.0 (41)	72.3 (4)	10.8 (42)
Wyoming	4.9 (22)	54.8 (37)	3.4 (48)
Pacific:			
Alaska	12.9 (1)	71.4 (6)	.4 (50)
California	4.6 (25)	50.1 (41)	100.4 (13)
Hawaii	2.9 (34)	52.9 (39)	98.6 (15)
Oregon	2.7 (36)	62.5 (23)	18.4 (39)
Washington	2.5 (37)	54.9 (36)	42.8 (30)

Mr. DODD. I yield.

Mr. HRUSKA. Mr. President, if the Senator will yield, I cannot quite identify the description of the law in Mississippi calling for registration of weapons as being limited to high-velocity guns. I cannot identify that. In a memorandum prepared by the Library of Congress Legislative Reference Service on June 21, 1968, at page LRS 110, there is set forth the text—which I presume is proper and complete and reliable—and it is from the Mississippi Code Annotated, section 8621, entitled "Weapons To Be Registered":

Every person in this State who now owns or has in his possession, or shall hereafter acquire, any pistol or revolver, or any ma-

chine guns, submachine guns, and/or similar firearms, or any other high powered rifle with a velocity of more than 2,000 feet per second at the muzzle, shall be required to register such weapons in the manner and within the time hereafter specified;

Then there is additional material. The only rifle that is exempted is the .22-caliber rifle.

Turning to the previous page, LRS 108, is section 2079 of the Mississippi Code Annotated, and there we find there is provided a penalty for carrying of deadly weapons or using them against any person which includes pistols, revolvers, or rifles with a barrel of less than 16 inches, or shotguns with a barrel of less than 18 inches, and so forth, who "shall be punished for a misdemeanor if it be the first and second convictions," and punished as a felon on subsequent convictions.

The text should be put in the RECORD, rather than a digest, which obviously is not quite accurate, if it is alleged to contain the language that it is only high-powered rifles that have to be registered. That is not true.

Mr. DODD. Mr. President, I think the whole analysis should be put in the RECORD. I think a careful reading of it will substantiate the statement.

The Senator is correct. It applies to all high-velocity rifles with the exception of the .22-caliber rifles. However, the .22-caliber rifle accounts for 65 percent of all rifle murders committed in the United States.

When we talk about this, we must talk about all phases of it. We find that the Mississippi law has to do principally with high-velocity weapons. However, it does not include the .22-caliber rifles. When we look into the situation, we find that 65 percent of rifle murders are committed with the .22-caliber rifle.

We should also note that it says in section 2 of the Mississippi statute that this act shall not apply to these people who are registered with the National Rifle Association or other licensed national collectors firearms associations.

If I read that correctly, if one belongs to the National Rifle Association, he is not bound by any of the laws. That is an absurdity. I cannot imagine a situation like that. As far as I am concerned, that would be a better reason for being bound by the law.

Mr. HRUSKA. Mr. President, as I read the Mississippi law that exception to registration applies only to collectors who are registered with the NRA or other national gun collectors organizations. The figure has been cited to the effect that 65 percent of the murders committed by rifles are committed with the .22-caliber rifle.

Mr. DODD. The Senator is correct.

Mr. HRUSKA. I imagine that one should go a little further. That sounds horrendous.

How many rifle murders are committed compared with murders committed with other forms of guns? If we secure that information, we then start to get a picture. However, to pick out a fragment here and a fragment there and argue like all fire on it does not inform us very much.

Mr. DODD. Mr. President, in each of the last few years the misuse of rifles and shotguns has increased. This is what was behind the thinking of Mr. Quinn Tamm, of the International Association of Chiefs of Police, when he said that the long gun, the rifle and shotgun, is being used more and more by the criminal element of our country. That is why I am concerned.

Last year some 720 people were killed by rifles in the United States. That does not approach the number killed by handguns, and I have never said that it did. However, the number is increasing each year. If we prohibit or inhibit or restrict the use of handguns—and we have done that under title IV of the omnibus crime bill—criminals will resort more and more to the use of long guns. That is what the record shows.

I think we have to think about that. It it already a great problem, and it is going to get greater unless we do something about it.

To answer Senator HRUSKA's question, of the 720 people killed by rifles last year, 400 were killed by .22-caliber rifles.

Mr. HRUSKA. Mr. President, if the Senator will refer to page 7 of the 1967 Uniform Crime Reports, he will find that the murders by type of weapon used in 1967 were: handgun, 48 percent; rifles, 6 percent; shotguns, 9 percent; cutting or stabbing, 20 percent; other weapons, club, poison, and so forth, 8 percent; personal weapons, hand, fist, and feet, 9 percent.

I submit that if 100 percent of the rifles used to commit those murders were .22-caliber rifles, I still fail to see the significance. Besides that, this discussion started from a discussion of the Mississippi exemption of the .22 rifle. Obviously, for some reason they do not want it included. However, other rifles and all handguns are included.

Mr. DODD. I do not think that is accurate. I think the Senator will find it applies only to high-velocity weapons.

Mr. HRUSKA. That is not correct.

Mr. DODD. It may include other things. I do not want to make a petty point about that.

I am upset about 400 people being killed by .22-caliber rifles. That is 400 people out of the 720 who have been killed by long guns. It bothers me. It may not bother others.

I am particularly distressed when I note the figure is greater than it was for the year before and for the year before that. The figure is increasing all the time.

I was correct before. I said that is nothing when compared with the 48 percent killed by handguns. However, it is 6 percent, and that is a terrible situation. And it will get worse.

Mr. HRUSKA. Mr. President, with reference to the 400 murders committed with the .22-caliber rifle of the total 720 murders committed with long guns, the distress of the Senator from Connecticut could not be greater than my distress. However, I am still patiently waiting, and so are others, to be shown the impact that the pending law will have on the existence of the misuse of those guns. That is what we want to know.

The pending legislation and the amendment that will probably be offered soon by the Senator from Maryland calling for licensing and registration will not result in the prohibition and destruction of all guns. We will still have 100 to 200 million guns in America. The overwhelming majority of these guns will be legally in the hands of people who can own and use them lawfully.

Guns will be misused, just as people misuse their fists and hands and poison and what have you. However, we would like to know the impact of any proposed legislation on that dastardly thing we deplore very greatly.

Mr. DODD. Mr. President, I thought the Senator knew. That is what we have been talking about for 5 years. That is why we have heard all of the witnesses. If there is anything that ought to be established in the record here, it is that there is a relationship betwen lax gun laws and the rising crime rates. I do not know anyone who denies that.

Mr. HRUSKA. Here is one.

Mr. DODD. Let me finish. All the gun is meant to do and all it is ever built for is to hit something, harm something, kill something or someone. The Senator says that people use their fists, poison, or knives. A knife will cut bread. However, a pistol will not. A person uses his hands for many reasons. However, the gun has only one purpose in the world and that is a lethal purpose. It has no good objective for mankind. Its objective is to hit and hurt and harm and kill. That is why it requires special attention. That is why the situation in this country is scandalous. To talk about the use of hands or the utensils of man being used to commit murder is not right. It is not reasonable. It is not rational. We have talked about this time and time again.

This is one thing that we can do something about. The very nature of it requires that we do something about it.

None of us have ever said: "If we do this, we will stop all crime." We say that we think we can cut down the incidence of crime and make the streets safer for people and make people more secure in their homes so that they do not have to be fearful that in the middle of the night some burglar in possession of a .22-caliber rifle or a shotgun that he has secured by mail order can break into their homes.

That is what the argument is about. The other point concerns a triviality. The American people know it, and every public opinion poll taken by professionals shows it. The sand that has been thrown in their eyes has not worked. Talk about all these statistics and arguments and talk about sports and fellowship. That does not interest me at all. I want to get to the heart of this matter. I say that we can stop guns from getting into the hands of children.

I had an 11-year-old son who received an ad from a mail-order house a few years ago trying to solicit him to send a few dollars to California to get a pistol. I did not know about it until his mother discovered it. I am not the only one to whom this has happened.

Criminals are buying guns. Our staff studies show that criminals have bought guns all over this country, in violation

of our laws. Dope addicts are buying guns. Mentally disturbed people are walking the streets and buying guns. They are shooting Presidents, they are shooting Senators, they are shooting great civil rights leaders, and they are shooting people all over the country with an abandon that is a scandal to the world.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. DODD. Yes, I yield.

I wish the Senator would think about these things. He is highly intelligent and is a most articulate man, and a man of good will. I am not trying to overly comfort him or butter him up. I know him and respect him. He is a good lawyer.

Mr. HRUSKA. And the Senator from Nebraska, if he is given an opportunity, will share his thinking upon the oration we have just heard, and it was a good one. If I were to put my trust in the hands of someone before a jury, I believe the Senator from Connecticut would be near the top of the list.

I should like to present my thoughts on what the Senator from Connecticut has said. We have gone over this matter before, Mr. President. It is said that the only purpose of a gun is to kill, that it is lethal and it is bad. Why did more than 3.5 million people buy guns last year? Was it to kill people? And if so, would it be people who are peaceful in intent, or people who are going through a door with a .22 pistol in their hands, bent on either murdering, raping, or robbing the occupants of that house?

Why did 3.5 million people buy guns last year? Not because the guns can be used only to kill. It is for sport and recreation. It is to let people know that there is a gun in the house, and if they come in the house with a gun of their own, they run an occupational risk. And that is all to the good.

But if we have a law which will keep out of the hands of many people guns to which they are otherwise entitled, which they can legally buy in their own States, then the fellow who is intent on using a gun in a criminal manner, misusing it, will have the safe assurance that "I can go in here and will not be hit by a bullet from a gun in the hands of that guy, because he is a law-abiding citizen, and I can do it with impunity."

Besides, Mr. President, it is illegal in America today, right now—or will be, as soon as the effective date of title IV of the Omnibus Crime Act arrives—to buy handguns by mail across State lines. We have taken care of that in title IV. And we are going to take care of the mail-order sales for long guns as well in this bill, which I support, and which I will vote for if it is not amended beyond recognition by those who want to achieve a result which will be unacceptable and unenforceable. It will be illegal to do that.

With respect to the thinking of those who speak vehemently upon the subject, along the lines of saying a gun is no good because it can only kill, sometimes it is used to kill things that should be killed. It is an essential implement on a farm or ranch. It is handy in an apartment when somebody is heard opening the door or the bathroom window and there is nothing to stand in the way except a gun with which to defend one's self.

I submit that we should consider the matter of why people are buying guns in America. It is not because they would kill those who are legal and lawful in their conduct but those who would transgress upon the lives and safety of others. I think that type of agreement would indicate that much thought has been given to this subject, to encompass not only the matter of taking care of those relatively few and highly deplorable misusers of guns, but also the many tens of millions, estimated to be between 40 and 50 million, of American citizens, lawfully using, owning, and possessing firearms—as many as 100 million to 200 million.

We must consider the entire spectrum and not take selectively a book of statistics and say this is awful; let us pass a law. Where will that law take us? What will it do? That is what we must ask. That is the complete way of treating with legislative attempts of this kind. When I say that, I wish to express my respect for the effort of the Senator from Connecticut in pursuing his convictions. But I believe it is geared to a goal which does not take into consideration the entire American picture and all its many facets.

Mr. DODD. Mr. President, I do not wish to detain the Senate further. I have discussed this matter, as the Senator has pointed out, many times. But I wish to say one thing to the Senator from Nebraska.

I did say that a gun will kill, but I also said the gun could only hit or harm something or somebody. It is important that this be pointed out.

Second, it does not involve a minor number of crimes. There were 110,000 gun crimes in 1966, and 134,000 in 1967.

Finally, the argument about the apartment bothers me. I know how people think about this. I live in this city. Within the last year there have been four murders within a block and a half of my front door. Therefore, I believe I know what is bothering people. But if we ever get into a situation in which we are policing ourselves and everybody is armed to the teeth and packing a gun, I believe we will have turned the clock back by a good measure, and I do not want to see that happen.

I would rather see law enforcement and an orderly arrangement of these factors in our lives, and I believe that can be done. That is why I talk about gun legislation as I do.

Mr. President, I should like to make another point. Sometimes I wonder whether we really understand each other when we discuss this matter. Some days it seems to me we do not get through. For example, I know I have said, and I believe others have said, most countries which even pretend to be advanced—advanced in every way—have had this problem and have done something about it. Every country except this country. I do not offer this, in itself, as the most compelling argument, but it should be taken into consideration.

What are the figures? Firearms deaths in countries other than our own, particularly in those countries which have strict firearms controls, are significantly lower in number than in the United States.

The following figures have been compiled by the World Health Organization, the Bureau of Vital Statistics of the U.S. Department of Health, Education, and Welfare, and by the Stanford Research Institute, and were published as of June 11 of this year: The number of gun homicides in the United States in 1966 was 6,855. The number in Australia in 1965, was 57. In Belgium, they had 20 in 1965. In Canada, in 1966, they had 98. In Denmark, they had six in 1965. In Great Britain and Wales, in 1966, they had 27. In France, they had 132 in 1966. In the West German Federal Republic, they had 78 in 1965. In Italy, they had 243 in 1964. In Japan in 1965, they had 16. In the Netherlands, they had five in 1965. In Sweden, they had 14 in 1966. No country in that group has a figure approaching 6,855. Every country I have named has strict gun control laws. I believe this must have something to do with the low number of homicides committed with guns. I do not believe one can ignore these figures. I am glad I have read them into the RECORD, for whatever interest they may be, and I hope they will be of great interest to all Senators and others as well.

Mr. President, I have repeatedly discussed in this debate, which started yesterday, the unrelenting pressure the firearms lobby has brought on the Congress, and most recently on the Senate, as firearms legislation has approached a vote.

I have also discussed the same kind of pressure that organization exercised on State legislatures, city councils, and county governments.

I have found it in poor taste, to say the least, as I am sure many of my colleagues have.

A number of times during the debate on firearms controls in passing through the reception room to the Senate Chamber, I met top officers of the National Rifle Association. They do not call on me.

This is not as surprising to me, as perhaps it is to some Senators, in view of the unique position the National Rifle Association sees itself occupying in the affairs of the Congress.

Harold W. Glassen, president, opened the annual meeting of the National Rifle Association in Boston on April 6, 1968, a little over 6 months ago, and he opened it with a threat.

In discussing the "real strength" of the National Rifle Association he said:

> Our one million members are a unified force to be reckoned with in every corner of America.

And then, as president of a tax-free, nonpolitical, nonlobby, educational organization he went on to discuss the politics of lobbying. He said:

> I should think our political enemies would keep this in mind when they're dreaming up some of those things they say about us. We're all voters, and I'm sure they're going to hear from us at the polls in November.
>
> I know darn right well they're going to hear from me.
>
> I will tell you this much—the politicians who use this great American organization as a whipping boy in order to further their own selfish interests are not going to get my vote.

I am not cowered by the threat, nor do I believe any Member of the Senate

should be. I am intrigued by the NRA's public threat of political retaliation issued to this Congress if it does not conform to its wishes.

But, to continue, that same day in Boston, NRA President Glassen rewrote history for the 25,000 members assembled. He characterized the policy of the NRA as a leader in the drive for "workable" Federal gun controls that are not "arbitrary and autocratic" and that "conform to our program."

President Glassen then characterized the proponents of title IV—and he must have meant me because I authored it: as

> A small obstinate group of United States Senators who have thus far blocked all gun bills except their own, apparently are more intent on keeping the issue alive—apparently for political publicity or for what purpose I cannot say—than on passing a Federal gun control bill acceptable to the American people. This I deplore.

What a farce. It is a part of the enunciated policy of the National Rifle Association to oppose restrictive firearms laws.

They do so relentlessly.

The National Rifle Association has yet to initiate any restrictive firearms laws, regarding their sale to criminals, mental defectives or anyone else.

The only legislation it supports is legislation drawn as a compromise when it appears that a pending law to restrict the misuse of firearms might become law.

That is true in the case before us today.

For all these years they have said nothing. They have sat tight and collected dues and built magnificent palaces while they enjoyed tax exemptions at the expense of other taxpayers and received subsidies of millions of dollars.

I believe it would clear the air in this Chamber about the position of the National Rifle Association, and the other lobby groups which they lead to consider what they say about the effectiveness of their antilegislation program, and the effectiveness of their public relations program in killing hunter safety laws, and in selling the NRA viewpoint to the public.

That day in Boston, April 6, 1968, 2 days after the assassination of Dr. Martin Luther King, the NRA issued its 1967 operating report.

It opened with a greeting from Executive Director Franklin L. Orth to the effect that the organization's "financial position is greater today than ever before in history."

The report on "Legislative Service," beginning on page 22, is a self-serving description of the number of firearms bills which failed adoption in legislatures across the country.

That is followed by a report on "Public Relations," which says in part that in addition to "71 special news releases, a total of 234,300 stories were distributed," to the press, topped off by 5,372 "hometown" releases prepared and distributed to local newspapers and broadcasters.

The public relations department distributed 15,725 news columns, and 264,000 broadcasts.

This, estimates the National Rifle Association, "represents several million dollars in public service air time."

And, so it goes. The National Rifle Association field representatives during 1967 traveled 313,886 miles and made a total of 5,618 field contacts with groups totaling 41,065 people.

Mr. President, I could go on. But best the organization speak for itself.

I ask unanimous consent that the portions of the annual reports of the National Rifle Association dealing with their legislative service and the public relations service for the years 1963 through 1967 be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. DODD. Mr. President, I think the Senate and the public should be exposed to the braggadocio of the National Rifle Association board of directors report to the members each year about their effectiveness in swaying firearms legislation.

Choice comments such as this one from the 1964 report more than anything else, shows the true purpose, the true intent of the National Rifle Association.

The 1964 legislative report ended with this paragraph:

> Information to NRA members about firearms control proposals is supplied by three principal means—(1) the regular report, "What the Lawmakers Are Doing," in the American Rifleman; (2) NRA Legislative Bulletins; and (3) direct contacts by mail or wire. During 1963, 350 bills of concern to gun owners were introduced in state legislatures and 32 in the U.S. Congress. Details about the more important ones were published in 42 columns of the magazine, and 42 legislative bulletins were mailed to 320,000 members and clubs in 50 states. NRA members reacted promptly, firmly, and in force. As a result, none of the legislation deemed severe was enacted.

The National Rifle Association-led lobbies are now making this last ditch effort to prevail once again and deprive the public of the kind of firearms legislation it has requested, indeed, demanded.

For months, officials of the gun industry, conservation groups, and the National Rifle Association have stalked the Halls of Congress waving the flag, repeating spurious arguments they know to be false, hinting at political reprisal.

They are in the cafeterias, the elevators, the reception room and the galleries waiting for a chance to buttonhole what looks to them like another vote for private interest, for mail-order death, at the expense of the public.

The only question before the Senate is whether the gun lobby will prevail once again for an unblemished 31-year record of having its way with Congress, or will we vote to keep guns out of the hands of assassins, criminals, juveniles, and the demented.

Will we vote for the public? For public safety?

Will we give law enforcement what it wants and what it needs to guarantee peace and domestic tranquility, or will we go along with the laws that will continue the wide-open domestic arms race favored by the gun lobbies?

NRA LEGISLATIVE BULLETIN DISTORTIONS

Mr. President, in the event there is even a shadow of a doubt in the minds of my colleagues as to the moving force behind the hundreds of thousands of antifirearms letters that periodically inundate their offices, I would like to review several recent actions of the National Rifle Association.

Mr. President, the first is a nationwide mailing dated June 14, 1968, containing what is represented as a fair description of the pending Federal legislation. The bulletin then trails off in the last paragraph into an hysterical warning to the public that the intent of the gun legislation "is complete abolition of civilian ownership of firearms. The situation demands immediate action by every law abiding firearms owner in the United States."

Appended to this "bulletin," as to the others, is a set of instructions on how to write a letter and to whom to write.

The second bulletin, dated June 18, 1968, is directed to the National Rifle Association members in the District of Columbia shortly in advance of public hearings on the District's firearms legislation.

Again, the "bulletin" gives in to wild and irresponsible misinterpretation of the intent of the District firearms law.

The bulletin says:

> Historically, one of the primary results of registering privately owned firearms has been, in many instances, to make possible for political authorities, through the police whom they control, the seizure of such weapons when in the opinion of those authorities such seizure is necessary or desirable.

This third bulletin was mailed on August 22, 1968, to all NRA members and clubs in Montgomery County, Md. Americans all over this country saw on network television the response to the bulletin's final paragraph. Specific directions as to how to show their opinion and distortion of the intent of the legislation were again part of the bulletin:

> You are urged to attend the hearings on the proposed firearms ordinance and to express your opinion to the County Council. Enactment of this measure could well mean the virtual end of hunting and shooting activities in Montgomery County, as well as placing unduly restrictive burdens upon the law-abiding citizen who wishes to possess a firearm.

Mr. President, I also ask that these three NRA releases—two legislative bulletins and one letter from NRA President Glassen—be printed in the RECORD.

The RECORD should contain examples of the nonlobby lobbying conducted by the National Rifle Association, and the part the organization plays in spreading distortions and misrepresentations of pending laws.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

ANNUAL REPORT OF THE NATIONAL RIFLE ASSOCIATION—1963

LEGISLATIVE SERVICE

One important function of the National Rifle Association which affects all gun owners in America is its activity in the field of firearms legislative service. No other organization carries on such a continuous and successful effort to inform its members about proposed anti-gun laws which would restrict the ownership and use of shotgun, handgun and rifle alike. In the U.S. Congress and in the halls of state legislatures, the NRA has come to be respected for its fairness, logic and

wealth of information concerning firearms legislation.

The challenge to the right of reputable citizens to possess and enjoy firearms for lawful purposes is assuming greater and more threatening proportions. This fact is attested to by the volume of anti-gun publicity in newspapers and magazines and the increasing number of firearms bills which find their way into the "bill basket" each year. Some reasonable controls in highly-populated areas are to be expected, but vigilance is necessary to prevent discriminatory measures against lawful ownership of firearms and safely-supervised shooting programs.

Through available reporting machinery, legislation proposed at the federal and state levels usually can be discovered in time to inform our members which effective action is deemed to be necessary. Local legislation, however, may be enacted much more swiftly than state or national laws. Members in a local community must be alert and must act quickly and decisively, in a well-organized manner, to defeat such threats. Some communities have met the situation by means of a "watchdog" committee consisting of local NRA members and club representatives who are capable of quickly detecting restrictive measures and as quickly generating concerted, well-timed action.

Information to NRA members about firearms control proposals is supplied by three principal means—(1) the regular report, "What the Lawmakers are Doing," in the American Rifleman; (2) NRA Legislative Bulletins; and (3) direct contacts by mail or wire. During 1963, 350 bills of concern to gun owners were introduced in state legislatures and 32 in the U.S. Congress. Details about the more important ones were published in 42 columns of the magazine, and 42 legislative bulletins were mailed to 320,000 members and clubs in 50 states. NRA members reacted promptly, firmly, and in force. As a result, none of the legislation deemed severe was enacted.

Federal legislation

Before and after the assassination of President Kennedy in November, a total of 20 bills were introduced to restrict the interstate shipment of firearms obtained through mail-order channels. Seventeen bills were referred to the House of Representatives Committee on Ways and Means and one bill to the House Committee on Rules for possible future action. S. 1975, by Senator Thomas Dodd, was the subject of several open hearings by the U.S. Senate Committee on Commerce. Through the efforts of the National Rifle Association, many restrictive features of this bill were removed and were substituted by several provisions aimed at limiting the accessibility of firearms to social undesirables and written in such a manner as not to infringe on the rights of shooter-sportsmen.

Of prime interest to the shooting fraternity was the enactment of Public Law 88-186, amending the Arms Control and Disarmament Act. Among its provisions is the amendment proposed by Senator Hickenlooper of Iowa and Congressman Sikes of Florida which reads as follows: "Nothing contained in this Act shall be construed to authorize any policy or action by a Government Agency which would interfere with, restrict, or prohibit the acquisition, possession, or use of firearms by an individual for the lawful purpose of personal defense, sport, recreation, education, or training."

State legislation

Bills concerning the registration of handguns were introduced in Maryland, Missouri, Ohio and Oklahoma. Various forms of firearms purchase controls were introduced in Connecticut, Georgia, Maryland, Missouri and Ohio. Convenience legislation or legislation providing a device to assist game-law enforcement officers to apprehend violators of fish and game statutes were introduced in Alabama, Indiana, Michigan, Montana, New Hampshire, Ohio and Vermont. Other bills dealt with prohibiting the discharge of firearms on Sunday; regulating or restricting the use of firearms by minors; sale of firearms and ammunition; and licensing of firearms dealers; to mention a few.

Legislation was enacted in *Connecticut* to permit members of rifle or gun clubs from out of state to participate in competitions without the necessity of having a Connecticut license to carry handguns, if such persons are so licensed in their home state; in *Montana* to allow children under 14 years of age to engage in supervised marksmanship programs; in *New York* to recodify those sections of the State Penal Code referred to as the Sullivan Law; and in *New Mexico* to eliminate the obsolete and undesirable provisions of the old State Firearms Law.

Category	Total pages					
	1961[1]		1962[1]		1963[1]	
EDITORIAL						
Shooting	130	(82)	167	(105)	180	(107)
Hunting	62	(51)	102	(94)	98	(89)
Ammunition and reloading	80	(41)	71	(25)	95	(45)
Antique arms and collections	43	(31)	55	(41)	53	(46)
Gunsmithing and ranges	36	(23)	49	(37)	44	(31)
Rifles—description and performance	70	(54)	46	(32)	54	(35)
Gun knowledge	33	(22)	41	(30)	48	(41)
Handguns—description and performance	30	(17)	33	(22)	36	(18)
Firearms legislation	26	(17)	32	(22)	38	(32)
NRA official matters	37	(28)	31	(22)	36	(24)
Sighting and observation	22	(16)	25	(15)	8	(—)
Ballistics, forensic, commercial	8	(3)	17	(14)	15	(10)
Biographical and personality	7	(2)	13	(2)	14	(1)
Training—juniors, hunter safety	7	(—)	4	(—)	16	(10)
Shotguns—description and performance	13	(7)	12	(8)	16	(9)
Editorials	12	(12)	12	(12)	12	(12)
Other subjects	14	(7)	19	(10)	11	(3)
Total	630		729		774	
OTHER						
Front covers	12		12		12	
Ricochets	4		4		3	
Contents page	12		12		12	
NRA and public service items	55		48		44	
Book reviews	11		13		10	
Index	3		3		3	
Miscellaneous	17		19		37	
Total, editorial and other	744		840		895	
Paid advertising	624		632		593	
Total	1,368		1,472		1,488	

[1] Figures in parentheses indicate pages of feature articles.

Rifleman newsletter

Approximately 9,300 of these releases are mailed each month to magazines, radio and TV stations, leaders in conservation, the arms industry, and other selected individuals and organizations. It is an advance report on the contents of the forthcoming issue of The American Rifleman, including a reprint of the editorial, and contains information about NRA and its activities.

Firearms information service

One of the more valuable services rendered by our Association is in the field of firearms information. Members of the NRA technical staff and contributing editors of The American Rifleman answer inquiries about firearms and related subjects, initiate studies on reloading and similar projects, evaluate products and services, and prepare major articles for the magazine of a type which cannot be secured from freelance sources.

PUBLIC RELATIONS

The public relations activities of our association continue to produce excellent results The basic plan is (1) to emphasize that shooting is safe; (2) to show that it is a form of recreation in which men, women, boys and girls can easily participate; (3) to establish civilian marksmanship training as essential to national defense; (4) to identify the NRA as the authority on guns and shooting; and (5) to increase the prestige of the National Rifle Association of America. NRA efforts in this broad field are divided into three general categories: (1) general publicity, including press, radio, and television; (2) shows and exhibits; and (3) special contacts by personal visits and by correspondence.

Publicity

In 1961 the NRA engaged, as special consultants, John E. Horton and James B. Deerin for a special public service publicity campaign. The first major project was the production of a motion picture film entitled "To Keep and Bear Arms." The "Big Picture" TV program of the U.S. Army used this film at 350 stations in the United States and 44 stations overseas, and the 130 prints were made available to the public through Signal Corps libraries. Nine prints were delivered to the Army-Air Force Motion Picture Service for use at camps, bases and stations. "Ready on the Firing Line," a film of Camp Perry, was finished in 1962, and a 15-minute motion picture of the ISU World Shooting Championships at Cairo was completed in 1963. The two major films were viewed by over 470,000 persons during the year, and the Cairo film is being shown by the U.S. Army to all posts and stations.

Another project in this campaign includes firearms safety messages carried by a cartoon character, "Tipper Flintlock." In 1963, cartoon and copy features were produced and distributed to 15,000 outlets. A special hunting safety spot was distributed to TV and radio stations through the auspices of the Advertising Council as a public service activity. A new series, "Guns of America," consisting of 6 matted drawings of historic firearms, was distributed to 4,100 newspapers.

The NRA participated in the 1963 Tournament of Roses Parade in Pasadena, California, with a float depicting in theme "The Bill of Rights—Freedom to Keep and Bear Arms."

National news releases and photographs were distributed on major activities of NRA. Over 16,500 separate releases were issued covering new clubs, instructors and qualification awards. Late in 1963, special articles on NRA activities and programs, under the heading of "Target, Woods and Gun Room," were offered to the nation's newspapers. About 200 requests for this feature had been received at the year's end.

Exhibits and shows

During the year a total of 151 NRA affiliated organizations participated in local exhibits with materials supplied by NRA Headquarters. NRA staff personnel manned exhibits at national meetings of the National Sporting Goods Dealers Association, National Association of Secondary School Principals, Outdoor Writers Association of America, the National Industrial Recreation Association, the National Recreation Association, and the International Association of Chiefs of Police. Members of the NRA staff, especially its elected officers, keep in close contact with executives of national and state organizations, with mutual interests and purposes, by attending conventions and meetings.

NRA representatives

To promote the best interests of NRA, three Field Representatives were active in 1963 with the following results:

	Sloan	Theed	Driver[1]	Total
Activities by days:				
Legislation	72	9	2	83
Competitions	19	76	49	144
Training	35	9	2	46
Administration	43	36	38	117
Travel (contacts)	136	106	140	382
Meetings	14	77	25	116
Other	1	34	1	36
Total	320	347	257	924
Meetings:				
Number	92	248	33	373
Attendance	6,026	7,910	1,339	15,275
Contacts:				
Number	1,143	1,075	920	3,138
People	5,193	5,222	2,501	12,916
Travel:				
Milage	51,977	42,501	31,228	125,706
Days of travel	277	315	217	809
States visited	11	16	18	45
Cities and towns visited	243	256	325	824

[1] In field duty status for only 9 months.

ANNUAL REPORT OF THE NATIONAL RIFLE ASSOCIATION—1964

LEGISLATIVE SERVICE

One important function of the National Rifle Association which affects all gun owners in America is its activity in the field of firearms legislative service. No other organization carries on such a continuous and successful effort to inform its members about proposed anti-gun laws which would restrict the ownership and use of shotgun, handgun and rifle alike. In the U.S. Congress and in the halls of state legislatures, the NRA has come to be respected for its fairness, logic and wealth of information concerning firearms legislation.

The challenge to the right of reputable citizens to possess and enjoy firearms for lawful purposes is assuming greater and more threatening proportions. This fact is attested to by the volume of anti-gun publicity in newspapers and magazines and the increasing number of firearms bills which find their way into the "bill basket" each year. Some reasonable controls in highly-populated areas are to be expected, but vigilance is necessary to prevent discriminatory measures against lawful ownership of firearms and safely-supervised shooting programs.

Through available reporting machinery, legislation proposed at the federal and state levels usually can be discovered in time to inform our members when effective action is deemed to be necessary. Local legislation, however, may be enacted much more swiftly than state or national laws. Members in a local community must be alert and must act quickly and decisively, in a well-organized manner, to defeat such threats. Some communities have met the situation by means of a "watchdog" committee consisting of local NRA members and club representatives who are capable of quickly detecting restrictive measures and as quickly generating concerted, well-timed action.

Information to NRA members about firearms control proposals is supplied by three principal means—(1) the regular report, "What the Lawmakers are Doing," in the American Rifleman; (2) NRA legislative bulletins and memoranda; and (3) direct contacts by mail or wire. During 1964, 210 bills of concern to gun owners were introduced in 27 state legislatures and the U.S. Congress. Details about the more important ones were published in 57 columns of the magazine, and 26 legislative bulletins were mailed to 141,000 members and clubs in 11 states. NRA members reacted promptly, firmly, and in force. As a result, no severe legislation was enacted.

Twenty-one bills to regulate firearms in interstate or foreign commerce were introduced in the Senate and House of Representatives since the introduction of the Dodd Bill in August 1963. No action was taken on the House bills, and the Senate Commerce Committee voted not to take any action during the 88th Congress. (Senator Dodd reintroduced his bill, with one minor addition, during the first week of the 89th Congress.)

A total of 189 firearms and related bills, a record number for an "off" year, were introduced at the state level. Numerous bills were drawn in an atmosphere of high emotion and sharp reaction not only to the assassination of the late President Kennedy but also to local tragedies. In a number of cases, the bills simply added control upon control with little thought given to the existing laws and regulations. No seriously restrictive proposals were enacted.

Legislation was enacted in *Maryland* resulting in the appointment of a Governor's Committee to study the desirability of formulating a program for training in the safe handling of firearms; in *New York*, to allow, under certain conditions, a person holding a handgun license issued elsewhere in the State of New York to pass through New York City without first obtaining a similar City license in order to participate in registered pistol matches located elsewhere in the state; in *South Carolina*, to memorialize the U.S. Congress not to enact legislation which would limit the right of private citizens to purchase and possess firearms; in *Virginia*, to allow the use of handguns in the hunting of predatory or undesirable species of birds and animals, and a declaration by the General Assembly that no agency or political subdivision within the state would interfere with the right of law-abiding citizens to purchase, possess or use firearms for the purpose of personal defense, sport, recreation, or other legitimate activities; in *Georgia*, to exclude bona fide collectors from the provisions of state law relating to the licensing of dealers; in *Massachusetts*, to allow an out-of-state person who is a U.S. resident and holds a permit to carry firearms in his state to carry a handgun in or through Massachusetts to attend a match or collectors meeting or exhibition; and in *Michigan*, to clarify certain provisions of state law relative to the sale, possession and use of handguns.

As a public service organization, the entire NRA Headquarters operation contributes to its public relations effort. However, the Office of Public Affairs carries out the basic plan designed (1) to emphasize that shooting is safe; (2) to show that it is a form of recreation in which men, women, boys and girls can easily participate; (3) to establish civilian marksmanship training as essential to national defense; (4) to identify the NRA as the authority on guns and shooting; and (5) to increase the prestige of the National Rifle Association of America. NRA efforts in this broad field are divided into three general categories; (1) general publicity, including press, radio, and television; (2) shows and exhibits; and (3) special contacts by personal visits and by correspondence.

In 1961 the NRA produced a motion picture film entitled "To Keep and Bear Arms"; in 1962, a film of Camp Perry entitled "Ready on the Firing Line" was finished; in 1963, a 15-minute picture of the ISU World Shooting Championships entitled "International Shooting" was completed; and in 1964, two safety films—"Sure as Shootin'," dealing with hunting safety, and "At Home with Guns," dealing with safety training—were produced. The two NRA movies, "To Keep and Bear Arms" and "Ready on the Firing Line," have been viewed by over 700,000 persons.

The special projects undertaken by our consultants, John E. Horton and James B. Deerin, included, in addition to producing the two motion pictures, the production and distribution of NRA Shooting Tips to 650 TV stations, assistance in filming the Olympic Shooting Team Tryouts for ABC-TV, preparation of the Tipper Flintlock safety messages for 5,200 newspapers and magazines, and development of the "Guns of America" feature for newspapers. In the radio field, NRA "spot" safety announcements were used by 4,000 radio stations.

The NRA float in the January 1, 1964, Pasadena Tournament of Roses Parade featured a printing press actually producing copies of the Bill of Rights for distribution to the spectators.

During 1964 a total of 48,600 press releases and 4,582 photographs were distributed and important NRA announcements were carried by the nationwide wire services. The "Target, Woods and Gun Room" articles on NRA activities and programs are being carried by 498 newspapers, with 15,800 copies of this feature distributed during the year.

During the year a total of 160 NRA affiliated organizations participated in local exhibits with materials supplied by NRA Headquarters. NRA staff personnel manned exhibits at 8 large national conventions, and made 59 personal appearances before civic groups. A total of 157 Speech Kits were furnished to individuals, and 750 Press Kits were distributed to journalists. Members of the NRA staff, especially its elected officers, keep in close contact with executives of national and state organizations, with mutual interests and purposes, by attending conventions and meetings.

To promote the best interests of NRA, four Field Representatives were active in 1964 with the following results:

	Sloan	Theed	Driver	Lee[1]	Total
Activities by days:					
Legislation	32	4	2	0	38
Completions	20	47	54	30	151
Training	9	33	9	15	66
Administration	46	54	37	17	154
Travel (contacts)	170	172	185	93	620
Meetings	55	36	56	20	167
Other	0	0	4	34	38
Total	332	346	347	209	1,234
Meetings:					
Number	83	116	55	33	287
Attendance	9,041	7,822	5,099	2,893	24,855
Contacts:					
Number	1,292	1,382	1,284	426	4,384
People	3,734	6,036	3,094	3,416	16,280
Type:					
NRA clubs	51	264	409	61	785
Law enforcement agencies	40	70	331	45	486
Directors and council	152	96	135	58	441
Instructors	54	295	29	30	408
Ranges	64	117	76	44	301
Referees	52	105	43	46	246
Sporting goods dealers	128	51	35	25	239
State officials	267	32	4	11	179
Press, radio, etc	125	29	11	14	314
Other	359	323	211	92	985
Total	1,292	1,382	1,284	426	4,384
Travel:					
Mileage	70,513	55,645	51,398	18,719	196,275
Days of travel	270	252	303	143	968
States visited[2]	34	43	51	44	172
Cities and towns visited[2]	284	224	381	91	980

[1] In field duty status for only 7 months.
[2] Includes repeat visits.

Our relationships with established organizations, where there is a mutual interest in firearms and shooting activities, continue to improve as our prestige increases. Our relations with Congress and the Executive Branch of our Government, especially the Department of the Army, are on a most friendly and cooperative basis.

Congressional action imposes an obligation upon the Secretary of the Army to promote marksmanship training among able-bodied citizens of the United States, and to provide citizens outside the active services with means whereby they may become proficient in the use of small arms. The Secretary of the Army fulfills this obligation through the National Board for the Promotion of Rifle Practice and its implementing agency, the Office of the Director of Civilian Marksmanship. The Board is appointed by the Secretary of the Army from the various branches of the Armed Forces, the Coast Guard, the National Rifle Association of America, the Selective Service System, and the country at large.

The President, Vice-President and Executive Vice-President represent the NRA on the Board.

Our long-time association with the BSA continues on an expanded basis. We cooperate on the merit badge requirements for shooting; we organize and supervise the shooting activities at the Boy Scout Jamborees; the NRA–BSA Postal Rifle Match for Explorer Scouts is attracting more participants; and the riflery program in BSA camps is more important today than ever because of the joint efforts of BSA, NRA and the DCM.

During the 1964 BSA Jamboree, a total of 73 volunteer NRA Instructors went to Valley Forge, Pennsylvania, at their own expense to assist in the instruction of 46,929 scouts who fired either the rifle or shotgun or both. This shooting activity was supported by men of Company A, 187th Infantry, 101st Airborne Division.

The Executive Vice President of NRA is a member of the important Health and Safety Committee of BSA.

There is an increasing participation in shooting activities by students in schools and colleges. Units of the National Education Association of the United States cooperated in the preparation of our highly successful Hunter Safety Course.

The American Association of Health, Physical Education and Recreation is supporting with enthusiasm the Outdoor Education Project which promotes the learning of recreational skills, including shooting, which can be enjoyed for a lifetime.

The Executive Vice President and Executive Director of NRA are on the Advisory Committee of the Outdoor Education Project.

ANNUAL REPORT OF THE NATIONAL RIFLE ASSOCIATION—1965

LEGISLATIVE SERVICE

One important function of the National Rifle Association which affects all gun owners in America is its activity in the field of firearms legislative service. No other organization carries on such a continuous and successful effort to inform its members about proposed anti-gun laws which would restrict the ownership and use of shotgun, handgun and rifle alike. In the U.S. Congress and in the halls of state legislatures, the NRA has come to be respected for its fairness, logic and wealth of information concerning firearms legislation.

The challenge to the right of reputable citizens to possess and enjoy firearms for lawful purposes is assuming greater and more threatening proportions. This fact is attested to by the volume of anti-gun publicity in newspapers and magazines and the increasing number of firearms bills which find their way into the "bill basket" each year. Some reasonable controls are to be expected, but vigilance is necessary to prevent discriminatory measures against lawful ownership of firearms and safely-supervised shooting programs.

Through available reporting machinery, legislation proposed at the federal and state levels usually can be discovered in time to inform our members when effective action is deemed necessary. Local legislation, however, may be enacted much more swiftly than state or national laws. Members in a local community must be alert and must act quickly and decisively, in a well-organized manner, to defeat such threats. Some communities have met the situation by means of a "watchdog" committee consisting of local NRA members and club representatives who are capable of quickly detecting restrictive measures and as quickly generating concerted, well-timed action.

Information to NRA members about firearms control proposals is supplied by three principal means—(1) the regular report, "What the Lawmakers are Doing," in the American Rifleman; (2) NRA legislative bulletins and memoranda; and (3) direct contacts by mail or wire. During 1965, 350 bills of concern to gun owners were introduced in 47 state legislatures and the U.S. Congress. Details about the more important ones were published in 99 columns of the magazine, and 28 legislative bulletins were mailed to 300,000 members and clubs in 14 states. NRA members reacted promptly, firmly, and in force. As a result, no severe legislation was enacted on the federal or state level.

A total of 35 bills to regulate firearms in interstate or foreign commerce were introduced in the Senate and House of Representatives during 1965. Public hearings were held on S. 1592 (Dodd Bill) by the Senate Subcommittee to Investigate Juvenile Delinquency. Public hearings also were held by the House Committee on Ways and Means on bills identical to S. 1592. The first session of the 89th Congress adjourned without taking any additional action on any of the firearms bills.

More than 350 firearms and related bills were introduced at the state level.

Several bills of interest to the sportsman were enacted in California. One bill exempts members of gun collector clubs from the requirement of a license to carry a hand gun concealed while at or going to or returning from their meetings or activities. Another bill conforms the definition of a machine gun to that contained in the National Firearms Act. Another bill removes the difficulties that have arisen in the past concerning the old ten-shot definition of a machine gun in that state. In Illinois, a bill to require a license for the purchase and possession of a handgun was killed in the House. Efforts by the sportsmen to have enacted a law to impose a mandatory penalty for the commission of a crime when armed was vetoed by the Governor. In Florida, Iowa and Massachusetts, legislation was enacted clarifying controls governing the carrying of firearms. South Carolina repealed an old and unwieldy statute against handguns and in its place enacted a realistic and reasonable law regulating the sale, transfer and possession of pistols. New Hampshire has a new law providing for a study leading to the future establishment of a state rifle range and park facilities. New hunter safety laws were enacted in Maine and Wisconsin. Significant is the number of state legislatures that adopted resolutions or memorials against the passage of restrictive federal firearms controls. They were Alabama, Arizona, Arkansas, Louisiana, Michigan, Nebraska, New Hampshire, New Mexico, Ohio, Oklahoma, Texas, Vermont, Washington and Wisconsin. Shooter-sportsmen in several states, in addition to those already mentioned specifically, were able to support reasonable and prevent ill-advised legislation.

As a public service organization, the entire NRA Headquarters operation contributes to its public relations effort. However, the Office of Public Affairs carries out the basic plan designed (1) to emphasize that shooting is safe; (2) to show that it is a form of recreation in which men, women, boys and girls can easily participate; (3) to establish civilian marksmanship training as essential to national defense; (4) to identify the NRA as the authority on guns and shooting; and (5) to increase the prestige of the National Rifle Association of America. NRA efforts in this broad field are divided into three general categories: (1) general publicity, including press, radio, and television; (2) shows and exhibits; and (3) special contacts by personal visits and by correspondence.

In 1961 the NRA produced a motion picture film entitled "To Keep and Bear Arms"; in 1962 a film of Camp Perry entitled "Ready on the Firing Line" was finished; in 1963 a 15-minute picture of the ISU World Shooting Championships entitled "International Shooting" was completed; and in 1964 two safety films—"Sure as Shootin'," dealing with hunting safety, and "At Home with Guns," dealing with safety training—were produced. During 1965 a documentary motion picture, "There Oughta Be A Law," dealing with firearms legislation was produced. Also produced in 1965 for release in early 1966 is a motion picture, "Arms Of The Law," dealing with police marksmanship training.

Other special projects completed by our consultants, John E. Horton and James B. Deerin, were: (1) a shooting safety tip featuring Fess Parker as "Daniel Boone," (2) a TV hunter safety spot for all networks, (3) safety messages for 2,500 radio stations, (4) three "Tipper Flintlock" series provided to 8,000 newspapers, and (5) production of a shooting tip strip featuring Gary Anderson for release in early 1966.

The NRA float in the 1965 Tournament of Roses was entitled "Let Freedom Ring" and featured the Liberty Bell, the American Flag, the Eagle and crossed rifles. It won the National Trophy Award.

During 1965 a total of 133,428 press releases were distributed. "Target, Woods and Gun Room" articles were used by 615 publications on a regular basis, with 17,520 copies of the column being distributed. A total of 153,721 items of NRA material were mailed to clubs and individuals, and 155,400 copies of "The Story Of NRA" were distributed. Complete coverage, press, radio and TV, was provided at the 1965 National Matches, the 1965 National Police Pistol Championships and the NRA International Championships.

NRA staff personnel manned exhibits at 8 large national conventions, and made 51 personal appearances before civic groups. A total of 750 Press Kits were distributed to journalists. NRA officials and members of the staff keep in close contact with executives of national and state organizations with mutual interests and purposes by attending conventions and meetings.

To promote the best interests of NRA, five Field Representatives were active in 1965 with the following results:

	Sloan	Theed	Driver	Lee	Jordan [1]	Total
Activities by days:						
Legislation	145	6	1	20	6	178
Competitions	26	73	69	45	39	252
Training	0	11	1	9	8	29
Administration	26	39	42	48	39	194
Travel (contacts)	124	177	162	170	126	759
Meetings	16	29	57	58	42	202
Other	0	5	19	2	42	68
Total	337	340	351	352	302	1,682

See footnotes at end of table.

	Sloan	Theed	Driver	Lee	Jordan[1]	Total
Meetings:						
Number	114	110	42	74	57	397
Attendance	6,444	6,136	3,599	4,295	7,026	27,500
Contacts:						
Number	1,641	1,591	1,089	824	581	5,726
People	3,292	5,510	3,570	3,329	4,223	19,924
Type:						
NRA clubs	93	288	341	146	191	1,059
Law enforcement agencies	43	144	248	53	92	580
Ranges	46	153	71	44	39	353
Sporting goods dealers	144	73	34	55	32	338
Directors, council	110	75	59	50	36	330
Instructors	28	163	30	78	8	307
Press, radio, TV	187	38	23	36	21	305
Referees	19	131	40	39	17	246
State officials	165	17	15	31	2	230
Sportsmen's organizations	121	41	27	26	8	223
Competitions	51	40	33	20	15	159
Military	28	85	10	28	5	156
Parks and recreation	40	42	12	29	5	128
Gun collector associations	67	6	8	5	37	123
Non-NRA clubs	49	27	8	18	14	116
State associations	20	31	23	21	21	116
Fish and game departments	40	19	12	38	6	115
All others	390	218	95	107	32	842
Total	1,641	1,591	1,089	824	581	5,726
Travel:						
Mileage	58,595	52,008	55,351	37,501	46,633	250,088
Days of travel	295	269	305	208	241	1,318
States visited	11	10	10	11	8	50
Cities and towns visited[2]	265	208	330	176	196	1,175

[1] In field duty status for only 10 months.
[2] Includes repeat visits.

ANNUAL REPORT OF THE NATIONAL RIFLE ASSOCIATION—1966

LEGISLATIVE SERVICE

One important function of the National Rifle Association which affects all gun owners in America is its activity in the field of firearms legislation. No other organization carries on such a continuous and successful effort to inform its members about proposed firearms legislation which would restrict the ownership and use of rifles, shotguns, or handguns. In the U.S. Congress and in the halls of state legislatures, the NRA has come to be respected for its fairness, logic and wealth of information concerning firearms legislation.

The challenge to the right of reputable citizens to possess and enjoy firearms for legitimate purposes is assuming greater and more threatening proportions. This fact is attested to by the volume of anti-gun publicity in the communications media and the increasing number of firearms bills which find their way into the "hopper" every year. Some reasonable controls are to be expected, but vigilance is necessary to prevent discriminatory measures against legitimate ownership of firearms and safety-supervised shooting programs.

Through reporting machinery, legislation proposed at the federal and state levels usually can be discovered in time to inform NRA members when urgent action is required. Local legislation, however, may be enacted much more swiftly than national or state laws. Local communities must be alert and must act quickly and decisively in a well-organized manner, to defeat such threats. Some communities have met the situation by means of a "watchdog" committee consisting of local NRA members and club representatives who are capable of quickly detecting restrictive measures and, as quickly, generating concerted well-timed action.

Information to NRA members about firearms control proposals is supplied by three principal means: (1) The regular report, "What the Lawmakers Are Doing," in the American Rifleman, (2) NRA legislative bulletins and memoranda, (3) direct contacts by mail, telephone or telegram. During 1966 over 180 bills of interest to gun owners were introduced in 21 state legislatures and the U.S. Congress. Details about the more important proposals were published in 43 columns of the magazine, and 8 legislative bulletins were mailed to 91,754 members and clubs in 6 states. NRA members reacted promptly, firmly and in force. As a result, no severe legislation was enacted on the federal level, and only one significant control measure was enacted on the state level (New Jersey).

Federal legislation

A total of 6 bills to regulate firearms in interstate and foreign commerce were introduced in the Congress (3 in the Senate and 3 in the House of Representatives) in 1966. No public hearings were held on any of these firearms bills. However, S. 3767, introduced by Senator Roman L. Hruska of Nebraska on August 25 was reported out of the Senate Committee on the Judiciary in place of S. 1592, the Dodd Bill. The Hruska Bill did not advance beyond that stage, and the second session of the 89th Congress adjourned without taking any additional action on any of the firearms bills.

Since its introduction in March 1965, the Dodd Bill has received nationwide publicity in all media. This bill was an outgrowth of, and reflected, the recommendations for firearms controls made by the President in his crime message to the Congress in March 1965. Extensive hearings were held on the Dodd proposal and other firearms bills in the Senate and House of Representatives in 1965. The NRA testified in both houses in strong opposition to the bills' general orientation and some specific provisions.

In another crime message to the Congress in March 1966, the President supported the Dodd Bill approach to the control of firearms in commerce. Shortly thereafter, the Subcommittee on Juvenile Delinquency (Chairman, Senator Dodd) approved S. 1592 with amendments by a vote of 6 to 3. On May 19, S. 1592, as amended, was reported to the Senate Committee on the Judiciary.

While the amended Dodd Bill did not contain several of the features objected to in public hearing, the "core" of this proposal remained the same. The bill still imposed a flat prohibition on the shipment or receipt of firearms by nonlicensed individuals in interstate or foreign commerce, and it still imposed rather vague and burdensome restrictions on the importation of firearms.

Repeated attempts by proponents of S. 1592 to have the Senate Judiciary Committee take favorable action on the bill from May to August failed. Consequently, the supporters of S. 1592, in a tactical move, decided on September 22 to report out an alternative bill, S. 3767, introduced by Senator Hruska on August 25. The Dodd Bill proponents did this "with the intention of substituting S. 1592 for S. 3767 once the bill came to a vote on the Senate floor". During the final week of the second session of the 89th Congress, 3 attempts to get the Hruska Bill to the floor for a vote failed. Finally on October 20, Senator Mansfield of Montana, the majority leader, asked and received unanimous consent for the Hruska Bill to be referred to the Senate Committee on Commerce (Chairman, Senator Warren G. Magnuson of Washington). This was the situation when the Congress adjourned on October 22.

In addition to the Hruska Bill, other firearms bills introduced in the Congress in 1966 were: S. 3369, by Senator Carl Hayden of Arizona, and H.R. 14628, by Representative Robert L. F. Sikes of Florida, to prohibit any federally licensed manufacturer or dealer from shipping or transporting any firearm to any person in any state in violation of any law of such state; H.R. 16288, by Representative Ed Edmondson of Oklahoma, and H.R. 16359, by Representative James Kee of West Virginia, to provide a mandatory penalty for the carrying or use of any firearm during the commission of any crime of violence; and S. 3868, by Senator Hruska, to place "destructive devices" under the tax and registration provisions of the National Firearms Act. These bills reflect the suggestions for legislation made by the NRA in its 3-part program set forth in the January 1966 American Rifleman.

State legislation

More than 170 bills were introduced at the state level. These proposals were concerned with firearms, ammunition, hunting and hunting safety, explosives and related matters.

The 1966 highlights: Maryland adopted a law to provide a 7-day waiting period for the purchase of a handgun and legislation to develop a statewide program of firearms safety. New Jersey has a new firearms law to provide, among other things, for a certificate of identity for the purchase of a rifle, shotgun or airgun, and for greater restrictions on the acquisition of firearms by certain classes of persons. In New York, the Governor vetoed (1) a bill to reduce the age for the possession and use of a firearm at a range from 12 to 11; (2) a bill to require that an applicant for a handgun license submit a certificate of his qualification to handle such firearm. In New York City a bill signed into law liberalizes the restrictions on the carrying of handguns in New York City by holders of a New York license issued other than in New York City. Of interest to Colorado Sportsmen was the enactment of a bill to empower the county commissioners to restrict the discharge of firearms in certain county areas.

Again in 1966, the Arizona Legislature adopted identical Senate-House resolutions against the passage of the Dodd Bill by the Congress.

Overall, shooter-sportsmen in several states, in addition to those mentioned above, were highly active in promoting the cause of reasonable firearms controls and opposing those contrary to the spirit of the right to possess and use firearms for lawful purposes.

Local legislation

The NRA received many reports from members throughout the country on various kinds of proposed ordinances for their local jurisdictions. Of those reported to us, no seriously restrictive regulation was adopted by the local lawmaking body.

PUBLIC RELATIONS

As a public service organization, the entire NRA Headquarters operation contributes to its public relations effort. However, the Office of Public Affairs carries out the basic public relations plan designed (1) to emphasize that shooting is safe; (2) to show that it is a form of recreation in which men, women, boys, and girls can easily participate; (3) to establish

and promote civilian marksmanship training as essential to the national defense; (4) to identify shooting as an international sport; (5) to identify the NRA as the authority on guns and shooting; and (6) to increase the prestige of the National Rifle Association of America. NRA efforts in this broad field are divided into three general categories: (1) general publicity, including press, radio and television; (2) shows and exhibits; and (3) personal appearances and special contacts.

Publicity

During 1966 the Office of Public Affairs arranged 55 press, radio and television interviews for NRA Officers, Directors and certain Staff personnel. In addition, OPA arranged 23 speaking engagements for NRA Directors in the various states. The majority of the media interviews and appearances occurred during and immediately after the Austin incident in an effort to combat the unfavorable publicity the shooting sports received at that time.

In 1966 the Office of Public Affairs prepared and distributed radio safety spots to the nation's broadcasters. At the close of the year, 516 stations were broadcasting the spots on a regular basis. A total of 173 TV stations were telecasting the "Fess Parker" safety spot regularly. The "Tipper Flintlock" safety spots were used by 543 newspapers, and the Gary Anderson "Shooting Tips" strips were placed in 613 newspapers. New series of both items are in preparation for distribution in 1967. A 30-second color TV safety spot was prepared for distribution early in 1967.

The NRA Float in the 1966 Tournament of Roses Parade was entitled "Land of the Free, Home of the Brave" and featured the U.S. Capitol, cherry blossom trees, and Fess Parker portraying a frontiersman with his rifle.

During 1966 a total of 108,100 news releases were distributed. "Target Woods and Gun Room" articles were used by 534 publications with 12,875 copies of the column being distributed. A total of 357,825 items of NRA material were mailed to clubs and individuals. Complete coverage, including press, radio and TV, was provided at the 1966 National Matches, the 1966 National Police Pistol Championships, the 1966 NRA International Shooting Championships and the 1966 World Shooting Championships.

The NRA Office of Public Affairs attended 13 conventions and made 76 personal appearances before civic groups. A total of 1,000 Press Kits were distributed. NRA officials and members of the staff keep in close contact with executives of national and state organizations with mutual interests and purposes by attending conventions and meetings.

NRA representatives

To promote the best interests of NRA, five Field Representatives were active in 1966 with the following results:

	Sloan	Theed	Driver	Lee	Jordan	Total
Activites by days:						
Legislation	74	2	0	7	4	87
Competitions	28	69	54	47	48	246
Training	0	16	5	2	6	29
Administration	40	49	45	43	51	228
Travel (contacts)	204	179	172	206	192	953
Meetings	1	32	64	40	57	194
Other	18	18	25	20	7	88
Total	365	365	365	365	365	1,825
Meetings:						
Number	109	93	45	73	70	390
Attendance	6,566	5,791	4,420	6,753	7,159	30,689
Contacts:						
Number of persons	3,055	5,139	2,997	3,004	4,332	18,527
Type:						
NRA clubs	44	270	259	146	222	941
Law-enforcement agencies	60	155	269	31	136	651
Ranges	73	166	91	62	49	441
Competitions	191	33	42	22	22	310
Sporting goods dealers	126	46	40	28	58	298
Instructors	42	127	36	56	15	276
Directors, council members	116	34	32	39	55	276
State officials	185	13	21	20	22	261
Press, radio, and TV	127	19	39	32	33	250
Referees	35	108	36	30	25	234
Sportsmen's organizations	78	29	51	28	19	205
Military	35	92	9	26	11	173
State associations	25	50	39	21	27	162
Non-NRA clubs	54	27	24	12	18	135
Parks and recreation	44	25	29	11	12	121
Fish and game departments	33	20	19	23	15	110
Gun collector associations	33	7	31	7	17	95
All others	374	124	140	54	54	746
Total	1,675	1,345	1,207	648	810	5,685
Travel:						
Mileage	58,867	52,731	58,954	43,265	66,124	279,941
Days of travel	291	299	300	215	304	1,409
States visited	10	10	10	[1] 13	[1] 10	[1] 53
Cities and towns visited	295	255	320	115	309	[2] 1,294

[1] Includes assignments out of representatives territory.
[2] Includes repeat visits.

ANNUAL REPORT OF THE NATIONAL RIFLE ASSOCIATION—1967

LEGISLATIVE SERVICE

The principal function of the NRA's Legislative Service is the collection and dispensing of evaluated information concerning existing and proposed firearms controls. The principal means of transmitting such information is the regular monthly "What the Lawmakers are Doing," appearing in the American Rifleman. In addition, special legislative bulletins, memoranda and direct contact by mail, telephone, telegram or personal conversation are utilized to accomplish this information gathering-reporting function.

Retrospectively, the year 1967 was active and productive in terms of proposed legislation. Forty-seven state legislatures were in session, and interstate firearms controls was a subject of frequent Congressional comment. Seventy-six columns in The American Rifleman were devoted to legislative news; one special bulletin on proposed federal legislation was sent to all NRA members and clubs; and 18 legislative bulletins were mailed to all NRA members and clubs in states or cities in which crucial firearms legislation was under consideration.

Federal

The first session of the 90th Congress convened on January 10, 1967. That night, President Johnson delivered his state of the Union message outlining his legislative program for the year, in which he recommended "strict controls on the sale of firearms." The next day, Senator Thomas J. Dodd (Conn.) introduced the Administration's bill, S. 1, to amend the Federal Firearms Act. This bill was identical to S. 1592, as amended, in the 89th Congress. In his message to Congress on February 6, 1967, the President referred to further delay in enacting strict firearms controls as being "unconscionable" and he recommended that all states enact a Sullivan-type law. Shortly after this, the President's Crime Commission published a report recommending strict regulation of firearms, including registration. On February 8, 1967, S. 1 was amended so as to prohibit the interstate sale of all firearms, except between federally licensed manufacturers and dealers.

On February 15, 1967, Representative Emanuel Celler (10th Dist.-N.Y.) introduced H.R. 5384, identical to the Dodd Bill as amended. Representatives Casey, King, Horton, Sikes, Dingell and others introduced legislation reflecting the NRA three-part legislative program of 1965–66. At its Annual Meetings, however, the Association added a fourth part, providing for an affidavit procedure for the interstate or mail order purchase of pistols or revolvers. The affidavit approach was initially reflected in H.R. 8645, introduced by Representative Cecil King (17th Dist.-Calif.) on April 17. On May 24, Senator Hruska introduced his now famous bill, S. 1853, similar to H.R. 8645, as well as a bill, S. 1854, to control destructive devices.

Four days of hearings were held on the Celler Bill (H.R. 5384) in April. There were eleven days of hearings on the Dodd and Hruska Bills, in July and August. The NRA testified in both houses in opposition to the Administration bills, and spoke in support of legislation reflecting the NRA's four-part program.

Late in the session, both Administration bills were reported from subcommittee to the parent Judiciary Committee in each house. The version of the Dodd proposal reported was S. 1 as amended in February; the Celler measure was reported by a substitute which retained the ban on interstate sales.

At the close of the first session of the 90th Congress there were a total of 16 bills either reflecting or similar to the NRA four-point program (14 in the House and 2 in the Senate). There was a total of nearly 40 general bills to regulate firearms introduced in the first session of the 90th Congress, all of which carry over to the second session.

On November 2, 1967, NRA Executive Vice President Franklin L. Orth testified before the Subcommittee on Wildlife of the House Merchant Marine Committee in support of H.R. 11190, by Rep. John Dingell of Michigan, to provide that one-half of the excise tax on pistols and revolvers be used for target ranges and firearms safety training programs and the other half of such revenue be used for wildlife restoration under the Pittman-Robertson Act. This bill is still in subcommittee.

State

This past year, there was a noticeable trend toward more restrictive firearms controls in various states. There were nearly 500 bills pertaining to firearms or hunting and game conservation matters, several of which included proposals to place rifles and shotguns under further controls—including a permit to possess or acquire, license to carry, identification card or registration.

The long firearm came under particular attention in New York, Illinois, Maryland, Washington, Hawaii and Michigan. With the exception of Illinois, no bill to cover rifles or shotguns became law.

The outstanding development on the state level this year was the enactment of a new firearms law in Illinois to require an identification card for the acquisition or possession of any firearm, pellet gun or ammunition. The new Illinois statute differs from the ID card requirement of the 1966 New Jersey law by providing for the mandatory issuance of the identification card after the applicant has met certain generally reasonable and clearly set forth conditions.

The following states adopted resolutions opposing the Administration-backed Dodd-Celler Bill: Alabama, Alaska, Arizona, Arkansas, Kansas, Louisiana, Michigan, Montana, Oklahoma, Pennsylvania and Texas.

Connecticut has a new law to provide for the establishment of a board of firearms permit examiners, including sportsmen's representatives, to review denial of application for a handgun permit or renewal thereof.

In Texas, a long-standing requirement that handgun dealers submit quarterly reports to the Department of Public Safety was repealed, thus removing a cause of annoyance to both dealers and their customers.

Amended and added to in several important respects was California's firearms law. Perhaps the most publicized change was prohibiting the carrying of a firearm in any public place or street in an incorporated area or in a prohibited area of an unincorporated area, with certain exceptions.

Hunter safety training bills failed of passage in Colorado, Florida, Michigan and Nebraska, and are pending in Pennsylvania. In Illinois, a new law provides for the initiation, promotion and development by the Conservation Department of a safe firearms handling program for persons between 12 and 21 years of age.

Local

The most significant development on the local level in 1967 was the adoption by New York City of perhaps the toughest gun law in the nation. In November the City Council passed, and the Mayor signed, an ordinance to require the registration of all rifles and shotguns in addition to handguns, as well as a permit to purchase and possess such firearms.

Attempts at additional controls on the municipal or county level were made in Chicago, Miami, Coral Gables (Florida), and Maryland's Montgomery County, among others. Miami adopted a 72-hour waiting period; Coral Gables, a registration requirement; and Montgomery County, an expansion of the area in which firearms may not be discharged, with certain exceptions.

PUBLIC RELATIONS

As a public service organization, the entire NRA Headquarters operation contributes to the Association's total public relations effort. However, the Office of Public Relations carries out a basic public relations program designed (1) to inform the general public on the various aspects of Federal, state and local firearms legislation; (2) to increase the prestige and public acceptance of the NRA in its various programs; (3) to establish and promote civilian marksmanship training as essential to the national defense; (4) to emphasize that shooting is safe; (5) to promote recreational shooting in its various forms; (6) to identify shooting as an essential international sport; and (7) to identify the NRA as *the* authority on guns and the shooting sports.

In order to accomplish this mission, the NRA Office of Public Relations operates in several broad general categories: (1) general publicity, which includes almost daily use of the printed media, radio and television; (2) shows and exhibits; (3) personal appearances and interviews; and (4) personal assistance to media representatives.

Publicity

The Office of Public Relations had a particularly active year in 1967. During this time 71 special releases were written with a total of 234,300 stories distributed. These stories related to major activities or statements concerning the Association's programs and policies on various issues. In addition, 5,372 "Hometown" releases were prepared and distributed to local newspapers and broadcasters. These releases on individual NRA members concerned personal accomplishments, awards, instructor certification, club organization and other pertinent accomplishments.

Complete news coverage of the National Matches, the International Tryouts, the Pan American Games, the National Police Championships, the National Collegiate Championships at Manhattan, Kansas,, and the major Police Regional at Winter Haven, Florida, was provided by staff members of the NRA Office of Public Relations. Clippings and transcripts received indicate excellent use of stories concerning these matches. Also, prior to the National Matches, 7,100 "Hometowners" on individual participants were issued to local media. Similar stories were released on the Pan American Team and the participants in the National Police Championships. All news stories on shooting resulting from the Pan American Games were written and placed with the wire services by the OPR staff man in attendance.

Prior to, and during the Annual Meetings, the OPR prepared and distributed 12 major stories. Clippings indicated that "pick-up" was very good. Also, during the Meetings, OPR arranged three radio interviews and a news conference for the NRA President.

During the fall months, OPR staff members attended and arranged news coverage of two major Home Firearms Safety programs. Unusual interest in these programs was generated among the media, and favorable coverage was accomplished.

During 1967, the NRA feature column, "Target, Woods and Gun Room," was used by 675 newspapers and magazines, with a total of 15,725 columns being distributed. In addition, NRA safety spots were used on 603 radio stations for a total of 264,000 broadcasts. This represents several million dollars in public service air time. The "Fess Parker" TV spots were still in use on 171 TV stations and a new animated spot was released late in the year. Figures on use of this spot were not available for calculation by the end of 1967.

The Gary Anderson "Shooting Tips" strips were placed in 675 newspapers and magazines in 1967, and the "Tipper Flintlock" safety mats were in use by 516 newspapers. "Tipper" will be replaced in 1968 by the new safety symbol, "Keeneye."

In 1967, OPR distributed 325,825 pieces of promotional material for use by clubs at sportsmen shows and for other activities.

Over the Report period, OPR personnel arranged for, prepared, or "planted" 12 major stories in national publications such as the "Club Woman," 'Presbyterian Life," and the AP feature story, "Why Americans Shoot." This represents a "breakthrough" in NRA relations with previously unused media sources.

Of major significance during 1967, was a debate arranged by OPR between the NRA President Harold Glassen and Senator Joseph Tydings at the National Press Club in Washington. This marked the first time that a debate has been held in this news club, the largest in the United States. Several hundred newsmen were in attendance and press and TV coverage was heavy. Since that time, President Glassen and Senator Tydings have appeared on two television debates.

Speaking engagements, interviews and radio and television appearances were arranged for NRA Officers, Directors and personnel during 1967, and OPR staff members appeared before 73 civic and professional groups during the year. In addition, OPR personnel appeared on 13 different radio and television programs. Speaking engagements arranged for NRA Officers included such influential groups as the National Society of State Legislators and the American Dental Association.

Staff personnel from the Office of Public Relations attended 13 major conventions or meetings during 1967, including such important programs of the National Association of Sporting Goods Dealers, the Industrial Recreation Association, the Boy's Clubs of America, the National Sheriff's Association, the National Association of Counties, the American Association for Health, Recreation and Physical Fitness, the Outdoor Writers Association and others.

General

The NRA Office of Public Relations began 1967 with a staff of three public relations professionals and three clerical personnel. In September, a highly qualified news writer was added to the staff and a similarly qualified TV-radio man was added in October. In November, the name of the division was changed from the Office of Public Affairs to its present designation. Through the addition of the two staff members, the OPR has been able to cover more newsworthy events and arrange more appearances for NRA Officers and Directors.

Late in 1967, the OPR developed plans for organizing a volunteer public relations network from qualified NRA Life Members and others selected by the OPR Director. Plans called for initiating the network early in 1968.

Over the past year, the majority of NRA's public service films were in the hands of members of the Infoplan field operation. It is not know how many showings these films received during the report period. However, films were being recovered in late 1967 for placement in TV distribution during 1968.

One of the most important aspects of a public relations program is the establishment, cultivation and maintenance of favorable contacts in the various media and major national organizations. Over the past year OPR personnel have been successful in establishing such contacts, and it is through these that the NRA will be able to receive fair treatment from the media and reach the public with its story.

NRA field representatives

To promote the best interests of NRA, six NRA Field Representatives were active in 1967. These men direct their efforts to promoting individual memberships and organizing new clubs. Special consideration is given to appearances before sportsmen's clubs, civic groups and other organizations for the purpose of creating a better understanding of the objects and purposes of NRA and to encourage support of its programs.

Their activities by days break down as follows for the entire year:

Activity	Days
Legislation	182
Competitions	174
Training	76
Administration	327
Travel (contacts)	958
Meetings	257
Other	65
Total days	2,039

They attended and participated in 501 meetings during the year, with a total attendance of 41,065 people. They traveled 313,886 miles on 1,533 days while in travel status.

All 50 of the states were visited, and 1,219 visits were made to cities and towns. The types of contacts made break down as follows:

NRA clubs	746
Law enforcement agencies	562
Sporting goods dealers	409
State officials	403
Ranges	328
Press, radio, and TV	328
Directors, council members	274
Instructors	270
Sportsmen's organizations	244
Referees	215
State associations	200
Competitors	186
Fish and game departments	155
Non-NRA clubs	141
Military establishments	101
Parks and recreation departments	100
Gun collector associations	84
Civic clubs	78
Colleges and universities	73
All other contacts	721
Total	5,618

Grant Sanborn joined the Field Staff in February. Clem Theed retired at the end of May and was replaced by Merle Preble, Marv Driver also retired at the end of May and was replaced by Joe Peot.

EXHIBIT 2

NATIONAL RIFLE ASSOCIATION OF AMERICA,

Washington, D.C., June 14, 1968.

DEAR NRA MEMBER: The right of sportsmen in the United States to obtain, own and use firearms for proper lawful purposes is in the greatest jeopardy in this history of our country. Certainly all sincere citizens of this nation want an end to violent crime and lawlessness. Some of our greatest national leaders have pointed out that the causes include adverse living conditions of many citizens, poorly supported police agencies, failure of the courts to enforce prompt and adequate penalties, a weak system of paroling repeated offenders, lack of parental control and, most of all, a general permissiveness permeating our society which has made the obligation to obey the law meaningless to many. Somehow in the minds of many well meaning persons the ownership and use of firearms has obscured the true causes of crime and has resulted in a national wave of intense effort to enact severe firearms controls both against the criminal and law abiding citizen without differentiation.

The National Rifle Association has steadfastly maintained that prompt and adequate punishment of those who misuse firearms should be mandatory and in addition to other penalties provided by law. It has supported in the past year numerous bills to amend the Federal Firearms Act and the National Firearms Act in order to regulate the improper traffic by those who would misuse firearms.

The tragic and senseless assassination of Senator Robert F. Kennedy has inflamed gun owner and non-gun owner alike. Yet it seems apparent that the assassin of the Senator violated four or more severe gun control statutes in the State of California where the crime was committed. It is the widespread opinion of many authorities that no Federal or State Law could have prevented this terrible crime. With this the NRA agrees.

However, within twenty-four hours following the death of Senator Kennedy, Congress completed action on and passed the Omnibus Crime Control and Safe Streets Act. This Act contains as its Title IV the Dodd Bill modified by amendments in the Senate. Do not be misled by statements that the gun measure is "a half way measure" or "watered down." It *is* the Dodd Bill except that it does not preclude, at this moment, interstate sales of rifles and shotguns to nonlicensees. Almost immediately after the passage of the Crime Bill in the House on June 6, the President indicated his dissatisfaction to the Congress with the gun controls in the bill, because they did not apply to and did not prohibit the interstate sale of rifles and shotguns to individuals.

In response to the plea of the President and to the public reaction to the assassination, Senator Thomas Dodd (Connecticut) and Congressman Emanuel Celler (10th District—New York) introduced on June 10, 1968, the following bills in the Senate and House of Representatives, respectively: S. 3604, S. 3605 and H.R. 17735, which were referred to the Committee on the Judiciary in the Senate and House.

S. 3605, by Senator Dodd, would include rifles and shotguns and ammunition in Title IV of the recently enacted Crime Control Act now on the President's desk for consideration.

S. 3604, by Senator Dodd, would require the registration of all firearms in the nation under a system to be set up by the Secretary of the Treasury. Registration would commence 90 days after enactment. The registration period is six months. Persons who choose not to register their firearms may, instead, within the six months registration period turn them in and thereby avoid prosecution under the Act. Further, no person may sell, deliver or otherwise dispose of any ammunition to any person who does not furnish proof that the firearms for which he is purchasing ammunition has been registered.

H.R. 17735, by Congressman Celler, is a substitute for Title IV of the Crime Control Act. The basic important differences between the Celler Bill and Title IV are these:

1. The prohibition against "mail order" and any interstate sale to individuals would be extended to rifles, shotguns, ammunition and components of ammunition.

2. No federally licensed manufacturer, importer or dealer could sell or deliver any firearm or ammunition (including ammunition components) to a person under 18 years of age.

3. A $10 license would be required for the manufacture of smallarms ammunition. (There is no exception for a handloader.)

The House Judiciary Committee is scheduled to take action on this Bill by June 20, 1968.

Unless the sportsmen of America clearly express their views without delay to their Senators and Congressmen, individuals will be prohibited from acquiring long guns in interstate commerce and general firearms registration will become a reality. Indications in the form of statements by some proponents of restrictive gun legislation are clear that their goal is complete abolition of civilian ownership of firearms. The situation demands immediate action by every law abiding firearms owner in the United States.

Most sincerely yours,

HAROLD W. GLASSEN,
President.

NOTE: Expressions of opinion should be brief, clear and courteous—never abusive or threatening. Your expression of opinion to your elected representatives is your right and patriotic duty.

Your two Senators may be reached at the Senate Office Building, Washington, D.C., 20510; your Congressman at the House Office Building, Washington, D.C. 20515. If you do not know the names of your Senators and your Congressman, you may obtain this information from your city or county clerk, local post office or local newspaper.

LEGISLATIVE BULLETIN, NATIONAL RIFLE ASSOCIATION OF AMERICA

JUNE 18, 1968.

To: All NRA members in the District of Columbia.

Subject: Proposed District of Columbia firearms ordinance.

According to reports in the press, the Washington City Council will hold a public hearing June 24, at 10:00 a.m., in the Council Chambers on proposed gun control regulations for the District of Columbia.

The specifics of the proposed ordinance have not yet been released. Again, according to press reports, consideration is to be given to the registration of all firearms privately owned by citizens of the District of Columbia and perhaps some form of licensing of the possession of firearms by citizens of D.C.

The members of the City Council are concerned, and understandably so, over violence in the streets of Washington and the fact that many of the hoodlums and thugs involved are armed. Apparently some persons feel that a registration of firearms owned by law-abiding citizens of the District will do more to curb armed lawlessness than ordinances already in effect prohibiting the carrying of a concealable firearm on the person without a police permit.

Among the reasons advanced to support a registration ordinance are these:

1. To reduce crime by making it more difficult for undesirables to obtain weapons.

2. To assist in solving crimes by making it possible to trace the weapons used.

3. To aid in the apprehension of criminals by making it possible to arrest persons found in possession of unregistered weapons.

4. To keep guns out of the hands of minors, mental incompetents, drug addicts habitual drunkards, etc.

5. To help return lost or stolen weapons to their lawful owners.

6. To reduce the number of firearms possessed by individuals. (A seldom spoken but nonetheless real, reason is that many persons feel that there are simply too many firearms in the possession of D.C. residents and that if this number can somehow be reduced, the use of firearms in crime will be lessened.)

* * * it is reasonably certain that the criminal element will not register their firearms. Law-abiding people will register. Some find it difficult to see how a list, in the hands of the police, of the law-abiding citizens of the District who own firearms can be of any real use in disarming criminals.

If the true intent is simply to reduce the number of firearms owned by residents of the District, then registration will, to a degree, be effective. Many more or less casual owners of firearms will not go through the formalities and red tape necessary to register them with the police. Instead, in order to remain law-abiding, they will dispose of the firearms by sale, by giving them away, or by throwing them away. Whether these firearms will be removed from "availability" or whether they will simply pass from responsible hands to, in many cases, irresponsible hands, is at least debatable.

The final clinching argument of those who support firearms registration is, "You don't object to registering your automobile, why then should you object to registering your firearm?"

For some of the reasons just enumerated the two things are really not comparable. True, automobiles are used in crime, but, like many firearms used in crime, they are usually stolen. The public and the authorities have come to recognize this, and no one really expects the registration of automobiles to have any influence on their use in crimes. No one is concerned over the "availability" of automobiles. Nobody cares whether you own one or several if you can afford them and pay the license fees. Many, however, are vitally interested in whether or not you own firearms, and some would prefer that you do not.

Historically, one of the primary results of registering privately owned firearms has been, in many instances, to make possible for the political authorities, through the police whom they control, the seizure of such weapons when in the opinion of those au-

thorities such seizure is necessary or desirable. Proponents of firearms registration always deny any such intention. Usually their denial is sincere, "All we want to know is who has guns and that kind." In the next breath they admit that they do not expect criminals to register their guns!

This is a matter of real concern to gun-owning citizens of the District of Columbia. Whatever your opinion is, it is hoped that you will express it to your Washington City Council. Chairman John W. Hechinger is reported as saying, "Persons who wish to comment on the general pros and cons of the gun control laws should write the Council. Testimony at the hearing will be public and will be limited to five minutes for each speaker."

FRANK C. DANIEL,
Secretary.

The members of the District of Columbia City Council are listed below and may be reached at the District Building, 14th and E Streets, N.W., Washington, D.C. 20004.

District of Columbia City Council: John W. Hechinger, Chairman; Rev. Walter E. Fauntroy, Vice-Chairman; Stanley J. Anderson, Margaret A. Haywood, Polly Shackleton, William S. Thompson, John Nevius, J. C. Turner, Joseph P. Yeldell.

LEGISLATIVE BULLETIN, NATIONAL RIFLE ASSOCIATION OF AMERICA

AUGUST 22, 1968.

To: All NRA members and clubs in Montgomery County, Md.

Subject: Proposed county ordinance to register all owners of firearms and require a permit for possession of a rifle or shotgun.

On September 4 and 5 the Montgomery County Council will hold public hearings on the proposed registration and licensing ordinance at 8 o'clock p.m. at the Julius West Junior High School, 651 Falls Road, Rockville.

The principle provisions of the proposed ordinance are as follows:

REGISTRATION

1. Any person within Montgomery County who owns or possesses any firearm must apply to the Superintendent of Police for a Firearm Owner's Registration Card. Each applicant must state under oath whether he has been convicted of a crime of violence; is a fugitive from justice; habitual drunkard or narcotics addict; has spent more than 30 consecutive days in any medical institution for treatment of a mental disorder; is under indictment or arraignment for a crime of violence; is at least 21 years of age or, in the case of a rifle or shotgun, is 18 years of age and has written consent from parent or guardian.

2. Applications for an Owner's Registration shall be reviewed within 30 days of receipt. Fee for issuance of a card shall be $1. The card will be valid for 5 years.

3. Applicants already possessing firearms but who fall under one of the categories listed in No. 1 above will be given 48 hours in which to deliver their firearms to the Superintendent.

4. A Firearm Owner's Registration Card shall contain the applicant's name, residence, occupation, date of birth, sex, physical description, recent photograph and such other personal identifying information as may be required.

5. No manufacturer, dealer, or retailer shall sell ammunition to any person who does not present a firearms Owner's Registration Card.

LICENSE

1. No person may own, possess or carry openly or concealed any shotgun or rifle without a written permit to do so issued at the discretion of the Superintendent of Police.

2. The Superintendent *may* grant a permit to carry, either openly or concealed or to possess a rifle or shotgun if the Superintendent is satisfied that the applicant is a person of good moral character, is capable of safely using the type of shotgun or rifle for which he is seeking a permit as demonstrated by his prior experience or training, and is a responsible person in the light of his age, reputation, employment, medical history, or other relevant matters, provided the Superintendent is satisfied that the applicant has a need for such shotgun or rifle in order to protect his person or property, or intends to use such shotgun or rifle for hunting, target shooting, or other sporting or recreational use.

3. Any person who carries or possesses any rifle or shotgun must have the permit therefor for either on his person or within his immediate custody. Failure to produce such permit upon demand shall be cause for the revocation of any and all permits. Dangerous or deadly weapons found in an occupied car shall be presumed to be possessed by the occupants; if found in an unoccupied car, the registered owner of such motor vehicle shall be presumed to be the possessor thereof.

4. Law enforcement officers, duly authorized members of the military, licensed manufacturers, dealers, those engaged in repairing rifles and shotguns, and those engaged in target shooting at duly authorized or licensed shooting galleries or ranges are exempted from the requirement of a permit to possess a rifle or shotgun. Non-residents engaged in lawful activities, including hunting and firearms shows, or whose firearms are unloaded and encased, and minors in the company of a person who possesses a currently valid Registration Card are exempted from the owner's registration card requirement, but apparently not the license to possess or carry a rifle or shotgun.

5. A fee of $1 per shotgun or rifle must be paid upon application for a permit. The applicant must be fingerprinted and photographed as a condition to being issued a permit.

6. No person may sell any rifle or shotgun unless the purchaser is personally known to the seller or shall present clear evidence of his identity and exhibits to the seller a permit to carry or permit to possess. No person may purchase any rifle or shotgun without obtaining a permit to possess or carry.

7. No person shall engage in the business of selling, manufacturing, or repairing rifles or shotguns or blackjacks without being licensed by the Superintendent to do so. The Superintendent is granted wide discretionary authority in the granting of such a license, not being required by law to do so. Licenses are to be renewable annually. Applications for such a license not acted upon within 30 days, or when such application is denied, revoked or seized, the aggrieved party may appeal to the County Board of Appeals within 10 days and the Board may, after hearing, affirm, modify, or reverse the action of the Superintendent.

8. Toy and antique firearms manufactured prior to 1870, or replicas thereof, are exempted.

9. The loss or theft of any rifle or shotgun for which a permit has been obtained, loss or theft of a permit, or any change of address must be reported to the Superintendent within 48 hours. Failure to do so shall be grounds for revocation of a permit.

CONFISCATION

1. The Superintendent of Police shall confiscate any rifle or shotgun in the possession of any person who would be prohibited from acquiring or possessing them under existing law, *or which have not been registered within 60 days of the effective date of this ordinance,* or for which the proper permit to possess or carry has not been obtained.

2. Since the proposed ordinance does not require the registration of rifles or shotguns, there is no basis for the underlined above, unless this reference betrays an intent to do so in the future.

3. Despite the fact that no machinery is established for recording the name of the owner and serial number of the firearm, the practical question of how one is to obtain a permit for each firearm without the police being given such information is left unanswered. It appears fairly obvious that such information will in fact be kept.

PENALTY

Violators shall be fined in an amount not to exceed $250.00 or imprisoned in a penal institute for a period not to exceed 30 days or both.

COMMENT

The impetus for a firearms registration and licensing law in Montgomery County originates with the local Council of Governments, a body whose basic purpose is to achieve some sort of uniformity of law in the Metropolitan areas surrounding Washington, D.C.

The D.C. Council enacted a restrictive and comprehensive firearms ordinance, including registration, on July 16. While the concept of uniformity certainly has merit, the sportsmen and residence of Montgomery County must decide if the registration and licensing of gun owners can feasibly assist in reducing crime in the County. There is no evidence that the firearms laws of neighboring Maryland in any way contribute to the problem of crime in the District.

The almost unlimited discretionary authority granted the Superintendent of Police would establish him as a virtual dictator to determine who could and could not possess firearms. The police, by nature of their work, are notoriously prone to view with disfavor applications for ownership of firearms when delegated the authority to approve or deny such applications.

It is estimated by the firearms industry that approximately 75% of all .22 caliber rifles and moderately priced shotguns in private possession today are not serially numbered. The proposed ordinance is silent on how these or any other firearms are to be registered. If serial numbers are to be impressed the ordinance does not indicate how, by whom or at what cost.

The proposed ordinance is particularly unsatisfactory in that it would require that one demonstrate to the satisfaction of the police a need to possess a rifle or shotgun. Such a requirement would establish a dangerous precedent, but one short step removed from the concept of eliminating the private possession of firearms, using as a basis a lack of "need." This provision is aimed directly at sportsmen, for the rifle or shotgun is seldom used in crime, but is the firearm most often utilized for sporting purposes.

It should be noted that the proposed ordinance directs itself primarily to rifles and shotguns because the Montgomery County Council is pre-empted by the State Statute passed in 1966 from legislating with respect to handguns. This leaves for practical purposes only rifles and shotguns on which the County Council can legally work its will.

You are urged to attend the hearings on the proposed firearms ordinance and to express your opinion to the County Council. Enactment of this measure could well mean the virtual end of hunting and shooting activities in Montgomery County, as well as placing unduly restrictive burdens upon the law-abiding citizen who wishes to possess a firearm.

The members of the Montgomery County Council are: Mr. William Greenhalgh, President; Mrs. Avis Birely, Mrs. Ida Mae Garrott, Mrs. Rose Kramer, Mr. Cleatus Barnett, Mr. James P. Gleason, Mr. Richmond M. Keene.

Correspondence to the Council should be addressed to the Montgomery County Council, County Office Building, Rockville, Maryland 20850.

FRANK C. DANIEL,
Secretary.

Mr. TYDINGS. Mr. President, the Senate now faces the moment of truth on the gun crime question. For 30 years pub-

lic opinion polls have shown that 85 percent of all American citizens favor laws to require registration of all firearms. For decades gun crime in this country has been increasing at an intolerable rate. Yet most States, I regret to say, have so far failed completely to enact the gun registration and licensing laws the public demands and law officers need to control gun crime.

Mr. President, next Monday when we resume work on the bill I intend to offer an amendment which is an anticrime amendment. It is not an antigun amendment. It is an anticrime amendment related solely and simply to the prevention of crime and violence on the streets of our cities and towns of this country.

I regret attempts have been made to deceive and misinform the American people, particularly my fellow citizens who, like myself, are sportsmen. However, my legislation would in no way inconvenience the law-abiding citizens or sportsmen. It is an anticrime measure and those Members of this body who are genuinely concerned with helping law enforcement in this country should vote for my amendment.

The amendment I will propose would, for the first time, provide every American citizen with a real degree of protection from the gun crime menace. This amendment is substantially identical to the National Gun Crime Prevention Act, which I introduced in June with the cosponsorship of 18 other Senators. Those cosponsors are Senators BREWSTER, CASE, CLARK, FONG, HARTKE, INOUYE, JAVITS, MAGNUSON, MANSFIELD, MONDALE, MUSKIE, PASTORE, PELL, PROXMIRE, RANDOLPH, SCOTT, SMATHERS, and YOUNG of Ohio. One major change has been made in the bill: There will be no fee or cost of any kind to the gun owner for registration and licensing under the bill. I wish to emphasize again there would not be one nickel required for a registration permit or a license permit.

The amendment represents the refinement of the National Gun Crime Prevention Act accomplished during the 6 days of hearings held on it during July and during the three meetings of the full Judiciary Committee where it was exhaustively considered.

Law-enforcement officials from all across the country testified in favor of this bill during the 6 days of hearings held on it. Four changes in the bill have been made in light of those hearings and committee procedures:

First. No fingerprints or photographs will be required from anyone.

Second. No fee of any kind will be charged to anyone.

Third. A rehabilitated felon, alcoholic, or addict, or cured mental patient could get a firearms license, with the written approval of the attorney general of his State.

Fourth. Localities and States could preempt both the registration and licensing provisions of the Federal law. The original bill provided for local preemption of licensing only.

This amendment would provide for registration of all firearms and licensing of all firearms and ammunition users. It would disqualify felons, drug addicts, alcoholics, mental incompetents, and juveniles from owning or buying firearms but would in no way interfere with or significantly inconvenience law-abiding citizens.

This amendment would put primary responsibility on the States for action, but would provide a minimum floor of Federal protection in any State or locality which does not act to protect its own citizens from gun crime.

The registration of all firearms and firearm sales will give the police the means to quickly trace guns used in crime to their owner.

I happen to own nine guns, including one 10-gage shotgun handed down through the family from my grandfather. Under this amendment, all one needs to do is to have one registration form to register all the firearms—no fee, not even the inconvenience caused by the registration of a bicycle, dog, or automobile. This registration would give to law-enforcement officials an added tool—and a tremendously effective tool—to trace the perpetrators of crime and help in the conviction of criminals.

Registration, while vital to improve law enforcement, must be linked to an effective system of licensing gun users in order to weed out persons who, by reason of criminal record, drug addiction, alcoholism, mental incompetence, or age should not be entrusted with a gun in the first place.

This amendment, the National Gun Crime Prevention Act, puts the greatest emphasis on State action. Wherever a State or locality enacts an effective firearms law, that State or local law, not the Federal law, would apply. Today, there are 18 States which do not have a law forbidding the sale of a gun to a convicted felon. There are 39 States which have no permit law to protect the public against the sale of a concealed weapon to a convicted felon. Can you imagine that, Mr. President?

This Federal law would be, in a real way, a temporary one, giving every State's citizens a floor of protection against gun crime until the States themselves act effectively against the gun menace.

Here is how the amendment would work. Under the amendment, every gun owner would inform the government—the State government, if the State has a registration law—of the make, model, and serial number of any gun he owns. This can be done by mail. Then, when a gun used in crime is found, the gun registration records will instantly reveal the gun owner's name and address, and quickly lead to the last known possessor of the weapon. Where the Federal law applies, all firearms would have to be registered within a year and a half of the enactment of the bill. One year after the bill's enactment all new firearms sales would have to be registered.

Second, every gun owner would apply by mail—to the State government, if the State has a licensing law—for a firearms license. Where the Federal law applies, the issuance of such a license would be automatic to every citizen who is over 18, is not a fugitive, is not under indictment, has not been convicted of a felony, or has not been adjudged by a court to be a narcotic addict, alcoholic, or a mental incompetent. The license would be automatically denied to those under 18 or under indictment and to fugitives, felons, adjudged addicts, alcoholics, and mental incompetents.

Where the Federal law applies, a license would be required for purchase of any firearm or ammunition after September 1, 1970. After September 1, 1971, a license would be necessary for the possession or use of any firearm or ammunition, except one borrowed temporarily for a hunting or other sport shooting purpose.

Youngsters would still be able to use firearms, although they would not be able to purchase or own them in their own name.

The bill has no application to antique firearms manufactured before 1898. Use of the information collected under the bill would be restricted to law-enforcement agencies.

Absolutely no fees are required from any gun owner or user under the bill.

This is basically all the National Gun Crime Prevention Act provides. It is the minimum the public protection requires. A majority of the Judiciary Committee would have voted to report some form of this bill had not that vote been blocked by extended debate.

The Senate should face the gun crime issue and enact the laws essential to deal with it. This amendment is such a law. This amendment is not anti-gun. It is anti-crime. Law-abiding citizens should be able to purchase, keep, and use guns of the kind and number of their own choice. The safeguards this bill provides will not inhibit or inconvenience the law-abiding gun owner. In fact, both the licensing and the registration procedures provided by this bill can be accomplished completely by mail.

This bill will, however, provide safeguards to assure that guns are not freely purchased, owned, or used by criminals, addicts, and mental defectives as is the case in most States today. The fact is that the system prevailing in most States which gives criminals, addicts, and mental defectives access to guns on an equal basis with the law-abiding is an absurd and intolerable anachronism in a nation distressed by a growing crime crisis.

The gun-control bill reported by the Judiciary Committee, S. 3633, falls severely short of the need and demand of the American people for protection against this gun crime wave. In several respects, the bill now reported weakens the already limited handgun sale measure this Congress enacted as part of the omnibus crime bill of 1968.

The restrictions on interstate gun sales S. 3633 does provide are important if any State's gun laws are to be enforceable. As long as any citizen can avoid his own State's gun law by merely resorting to the mail or traveling to a neighboring State with lax gun laws, no State gun law is worth the paper upon which it is written.

But what of a State which has no gun laws to protect its citizens? What about the 39 States which do not require permits to purchase concealed weapons? What about the 18 States which do not

even disqualify felons from possessing guns? What of the 35 States which have no law against lunatics owning and using guns? Should the citizens of and visitors to these States have no protection from gun crime?

The stark fact is that gun crime is out of control in this country. According to figures released 2 weeks ago by the Federal Bureau of Investigation, guns were used in 7,600 murders, 52,000 aggravated assaults, and 73,000 robberies in America last year. Today—in America—21 of our fellow citizens will be murdered by gun, 150 will be assaulted by gun, and 200 will be robbed by gun. Ninety-six of every hundred police officers murdered are shot by gun-toting lawbreakers. Compared to 1964, the gun murder rate has increased 47 percent, aggravated assault by gun is up 76 percent, and armed robbery by gun is up 58 percent. Guns were used in 63 percent of all murders in this country last year. Rifles and shotguns were used in one out of every four gun murders.

In America we tolerate a gun crime rate unthinkable in practically any other civilized nation in the world. Take gun murders, for instance. According to latest figures, an American is seven times more likely to be murdered by gun than a Canadian. An American is 35 times more likely to murdered by gun than a Briton, a Dane, a German or a Swede. An American is infinitely more likely to be killed than a Japanese or a Netherlander, where gun murders are so rare as to be statistically insignificant.

The reason for this drastic disparity between our gun crime rate and that of other nations is simply that we have countenanced a system of incredibly lax gun laws which are a scandal in the civilized world. Most European nations closely regulate gun sales and stringently license gun ownership. Most States in the United States offer their citizens little or no protection against criminals, lunatics, addicts, and juveniles purchasing guns and ammunition.

Yet, according to the gun lobby—the NRA and its spokesmen—we already have plenty of gun laws, if only they were enforced. Texas, for example, forbids carrying a handgun in a saddlebag, except when traveling. That is a big protection. Vermont forbids children to have guns in a schoolhouse. And one of Arkansas' two firearms laws forbids possession of a machinegun for offensive or aggressive purposes. To my knowledge no studies have recently been conducted to determine whether more adequate enforcement of these laws would significantly reduce the rising gun crime rate.

What we do know, however, is that only three States in this Union require a license to own or possess a concealed weapon. Only 11 require a permit to purchase a handgun and more than half the States do not even require reporting of retail gun sales to the police. Regulation of rifle and shotgun sales, possession, and use is even more lax. In fact, only 12 States have any significant long-gun laws at all.

Until 2 months ago, our Federal Government had refused for 30 years to limit even the notorious mail-order gun traffic. And the law passed last month, as part of the omnibus crime bill, is restricted to handguns. It does not apply to rifles and shotguns, which are used in three out of every 10 gun crimes in the United States.

Meanwhile, the number of guns in America is increasing at an incredible rate. Estimates of the size of private American firearms arsenals place the total number of guns in America somewhere between 100 and 200 million. We have more guns than families, more guns than cars, perhaps even more guns than people in this country. And more than four and a half million new guns are being sold in this country every year.

Mr. President, the Senate might be interested to know that in 1958, 79,000 pistols and revolvers were sold in the United States. Last year 747,000 pistols and revolvers were sold in the United States.

In the first 4 months of 1968, 392,000 pistols and revolvers have been imported into this country. If this year's rate continues unabated, the total number of handguns imported into the United States in 1968 will be 1,560,000 pistols and revolvers.

The sale, possession, and use of firearms should and can be subject to reasonable regulation.

The needs of law enforcement and citizen safety require that we deny sale, possession, and use of firearms to convicts, addicts, and idiots.

Our police need a record of the identification and ownership of firearms as accurate as the records we maintain for bicycles, dogs, automobiles, and prescriptions. Yet today, in practically every State in the Union, it is easier to buy a gun than it is to register to vote or to license a bicycle.

As a matter of fact, it is far more difficult to get a license to shoot big game than it is to buy a concealed weapon to shoot our fellow men.

We have waited too long for an effective, rational gun policy. Seventy-six hundred Americans murdered by gun paid with their lives last year for that delay. Presidents, Senators, policemen, cab drivers, storeowners, bus drivers, great men and humble citizens—innocent people from all walks of life—have been gunned down under the insane gun policy our Nation has pursued and is pursuing.

As you know, Mr. President, I am a gun owner and a hunter. I have hunted from the time I was 9 years of age, when my father taught me to shoot. I have always enjoyed shooting, markmanship, and hunting. But I also believe that it is long past time to recognize firearms as the lethal weapons they are and to regulate their sale, possession, and use accordingly. As FBI Director J. Edgar Hoover has said, "the easy accessibility of firearms is responsible for many killings, both impulse and premeditated."

Seventy-six hundred lives a year are too many to pay for the luxury of frontier myths overtaken by the crime problem in modern and urban America.

It is a far different problem when a member of the Blackstone Rangers gang in a big city purchases a Saturday-night special for $5.50 than when a rural citizen living on the Eastern Shore of Maryland or Idaho or Montana wants to purchase a gun. We need help in the war against crime, and my amendment—this legislation—is purely and simply an anticrime proposal.

Fifty-two thousand aggravated assaults a year are too many to pay for a long-discredited theory of "the right to bear arms." Seventy-three thousand armed robberies a year are too many to pay to satisfy the callous intransigence of the gun lobby and the shameful timidity in the face of the gun lobby and its minions. It is time for rational firearms laws.

It is time to dispense with the myths and propaganda perpetrated by the opponents of reasonable gun laws.

Take, for example, the argument that we should simply punish gun crimes more seriously, rather than disarm the criminal. The fact is, of course, that heavier penalties for gun crimes already exist, but have not answered the gun crime problem. Armed robbery is a more serious offense than simple robbery; aggravated assault is more heavily punished than simple assault. Murder is the most heavily punished crime of all. Yet the commission rates of all these crimes are climbing intolerably. Armed robbery increased from 42,600 crimes a year in 1964 to 73,000 in 1967; aggravated assault by gun from 27,700 cases in 1964 to 52,000 in 1967; murder by gun from 5,000 in 1964 to 7,600 in 1967.

Gun crimes should be more heavily punished. But clearly, heavier penalties do not answer the gun crime epidemic. They do not help solve gun crimes, as registration would. They do not prevent criminal access to guns, as licensing would. They do not bring gun crime victims back to life, repair their wounds, or return their property. Only disarming the criminal can do that.

Then there is the argument that guns do not commit crimes, people do. Of course, guns do not commit crimes, but people using guns certainly do. People using guns last year alone robbed 73,000 Americans, assaulted 52,000 Americans and murdered 7,600 Americans. People using guns murdered John Kennedy, Martin Luther King, and Robert Kennedy, along with more than 25,000 other Americans between 1963 and 1967.

The record shows that of the assaults committed in the United States without a firearm, one out of 20 persons died; but of those assaults committed with firearms, one out of every five died—including the Senator who sat in the back row next to me when I was sworn in just 4 years ago. I wonder how many of my fellow Senators are going to buckle under to the gun lobby when the time comes to vote on these amendments next Monday and Tuesday?

One of the most phony and misleading arguments is that "No dicatorship has ever been imposed on a nation of free men who have not just been required to register their privately-owned firearms."

That argument is ridiculous. It is unsupported by fact and refuted by history.

I asked the Library of Congress to check it out and here is what they told me:

We can make no positive correlation between gun laws and dictatorships, as the following examples will show.

First, four countries were examined which are democracies now, but in recent history came under Nazi dictatorships (Germany, Italy, France, and Austria). One may reasonably assume that if gun registration laws constituted a primary factor in the rise of dictatorships—

As the gun lobby argument and as the proponents of antigun legislation propound—

these countries would have since revised their laws to prevent future dictatorships. This has not been the case. The four countries today have substantially the same gun laws as those in force prior to the advent of dictatorship. In fact, in Italy, where gun laws were relaxed by Mussolini, they have recently been restrengthened approximately to their pre-Mussolini level.

Secondly, two democracies were examined which have not suffered dictatorships in their recent history (England and Switzerland). Switzerland has had gun registration laws since 1874, England since 1831.

Ironically, this argument is frequently offered against gun laws by the NRA itself. Yet, if a list of firearms owners would be useful to a dictator, as the NRA argues, certainly the first place he would go is to the million name membership list of the NRA itself, right here in Washington.

So let us dispense with myth and deal with reality. And reality is that no American citizen can be safe on the street, in his store, or in his home as long as any juvenile delinquent, idiot, felon, or thug can buy an "equalizer" as easily as an aspirin. Shopowners, homeowners, and every other law-abiding citizen should be able to buy, own, and use guns as they choose. But it is time we did something effective to prevent punks from playing God with guns, deciding who shall live and who shall die.

The criminal element in America should be disarmed. But the pending legislation, S. 3633, important as it is regarding firearms sales, simply cannot do the job of disarming the lawless, unless my amendment to it is adopted. Only a system of registration of firearms and licensing of firearms users can assure that criminals who possess guns will go to jail and the criminals who should not possess them will be denied easy access to them.

The amendment I offer will disarm the criminal without inconveniencing the law abiding.

Mr. President, I state again, my amendment imposes no tax, no fees, no charge, and very little inconvenience, if any, on the law-abiding citizen. It will prevent no honest homeowner, storekeeper, or hunter from buying, keeping, or using his firearms, provided he is not a convicted felon, a mental incompetent, a junkie, or an alcoholic. It is purely and simply an anticrime measure.

I hear so many statements about the need for law and order. Mr. President, we are going to have an opportunity to vote on legislation which can substantially improve the status of law and order in this Nation, which can substantially assist law-enforcement agencies in reducing crimes of violence in this country, and I hope that those who advocate law and order on the stump to get votes will vote for measures which can really do something about reducing the element of crime and violence when these proposals are before them next Monday and Tuesday.

I realize, Mr. President, that the gun lobby can raise a hostile crowd with little effort. I have faced a few of them in my own State. But they are a minority, Mr. President. The majority of our citizens want law and order. The majority of our citizens want fair, effective, moderate gun control laws, to restrict easy access to firearms by the criminal element. That is all my amendment would do.

Mr. President, regarding the basic bill before us, S. 3633, I ask unanimous consent that a memorandum to all Senators from Senators DODD, KENNEDY, FONG, TYDINGS, JAVITS, BROOKE, HART, and PASTORE on the State Firearms Control Assistance Act of 1968, S. 3633, be printed in the RECORD.

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

MEMORANDUM: THE STATE FIREARMS CONTROL ASSISTANCE ACT OF 1968, S. 3633

I. BACKGROUND OF S. 3633

The State Firearms Control Assistance Act of 1968, submitted as S. 3633, is an effort to make State gun control laws as fully effective as possible. Many States have enacted or are considering legislation prohibiting possession of firearms by irresponsible persons such as convicted felons, narcotics addicts, mental incompetents, alcoholics and juveniles. It is essential that States having gun laws be able to enforce them effectively, and that States considering gun legislation be encouraged to act by the knowledge that such laws can be enforced effectively.

At present, there are two principal means by which State gun laws are evaded:

1. *Mail-order sales.* A person can order guns through the mails from out-of-state mail-order houses. State authorities have no practical means to ensure that people who do so order guns are eligible to possess them under State law.

2. *Nonresident sales.* A person ineligible under the laws of his own State can purchase guns over the counter in another State having less stringent laws. Again, authorities of the purchaser's State of residence do not have the means to "police" the transaction and ensure that applicable provisions of the law of the purchaser's residence are satisfied.

In neither instance is there any way for a State—short of stopping and inspecting every person and every shipment of goods at the border—to prevent the entry of illegal guns.

II. THE OPERATION OF S. 3633

To plug up these loopholes that impair the effective enforcement of State firearms laws, S. 3633 does two basic things:

1. It prohibits interstate mail-order shipments of firearms, except between licensed dealers.

2. It prohibits over-the-counter sales of firearms to non-residents of the State in which the transaction takes place.

Thus a person desiring to purchase a firearm from out-of-state must do so in a transaction the final step of which takes place through a licensed dealer in the State of his residence. By regulating dealers and examining their records, a State can ensure that the provisions of its law are complied with, and that guns are not acquired by ineligible persons.[1]

In addition to banning interstate mail-order transactions and sales to non-residents, S. 3633 as introduced includes a number of other desirable provisions. In particular, it:

Prohibits the interstate mail-order sale of ammunition except between licensed dealers.

Prohibits sales of guns and ammunition to juveniles (persons under 21 in the case of handguns; persons under 18 in the case of rifles and shotguns).

Provides higher standards and increased licensing fees for Federal firearms dealers, manufacturers and importers.

Regulates the interstate transportation and sale of destructive devices, such as anti-tank guns, bombs, and grenades.

Regulates the importation of firearms into the United States by excluding all firearms not generally recognized as particularly suitable for or readily adaptable to sporting purposes, and by excluding surplus military handguns.

III. DIFFERENCES BETWEEN S. 3633 AND TITLE IV OF THE SAFE STREET ACT

Most of the provisions of S. 3633 are already in existing law, Title IV of P.L. 90–351, the Omnibus Crime Control and Safe Streets Act of 1968. There are only *two* significant provisions of S. 3633 that are not already law by virtue of the Safe Streets Act.

First, S. 3633 imposes restrictions on rifles and shotguns parallel to those imposed by the Safe Streets Act on handguns.

Second, S. 3633 adds coverage of gun ammunition (Title IV's coverage was limited to ammunition for destructive devices).

Apart from these two changes, substantially all of the provisions of S. 3633 are already part of the U.S. Criminal Code.

IV. WEAKENING AMENDMENTS TO S. 3633 ADOPTED BY THE SENATE JUDICIARY COMMITTEE

As reported by the Senate Judiciary Committee, S. 3633 was amended so as to incorporate a number of exceptions to coverage that are inconsistent with the bill's philosophy, and which substantially endanger its effectiveness. A summary of each of these weakening amendments is set forth below, together with a brief analysis of why the amendment is objectionable and inconsistent with the basic purpose of the Act. (Some of these amendments actually cut back the coverage of existing law, since they nullify provisions of Title IV of the Safe Streets bill signed by the President on June 19, 1968.)

The amendments of concern are as follows:

1. *Ammunition.* The controls of ammunition in S. 3633 as introduced are minimal, in that they regulate only the interstate mail-order sale of ammunition and prohibit over-the-counter sales to juveniles, convicted felons, persons under indictment, fugitives from justice, and persons ineligible to purchase ammunition under State or local law. An amendment adopted by the Senate Judiciary Committee, however, changes the definition of "ammunition" to exclude from coverage (a) ammunition for rifles and shotguns, and (b) all .22 caliber rimfire ammunition. Thus, "ammunition" under the bill as amended is only ammunition for destructive devices and large caliber pistols or revolvers.

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[1] The provisions of S. 3633 do not prohibit a person living in one State from acquiring a firearm from an individual who lives in another State. The bill does require, however, that the acquisition be completed through a licensed dealer of the purchaser's state of residence, and thus subject to effective state control. For example, if A, a resident of one State, desires to purchase a gun from B, a resident of a different State, arrangements must be made by A to have B send the gun by way of a federally licensed dealer located in A's State.

This amendment is objectionable because:

It exempts ammunition controls for approximately 90% of all firearms.

It exempts ammunition that is frequently involved in crimes of violence. Nearly 30% of all homicides by firearms occur with the use of rifles and shotguns. Substantial numbers of hand gun homicides, armed robberies and assaults are committed with .22 caliber pistols and revolvers.

It fails to prohibit the sale—whether by mail-order or over-the-counter—of rifle, shotgun, and .22 caliber rimfire ammunition to *known* juveniles, felons, fugitives, indicted persons, and other undesirables.

It excludes from coverage ammunition of the type that killed President John F. Kennedy, Doctor Martin Luther King, Jr., Senator Robert F. Kennedy and Medgar Evers, to take but a few examples.

2. *Standards for licensing dealers.* Existing law, and S. 3633 as introduced, require two substantive qualifications for federally licensed dealers which the Senate Judiciary Committee deleted. The first requirement is that the applicant not be "by reason of his business experience, financial standing, or trade connections, . . . [unlikely] to commence business operations during the term of the annual license applied for or to maintain operations in compliance with this chapter."[2] The second requirement is that the applicant have, or intend to have, "business premises for the conduct of the business." Substituted for these two requirements of existing law is the single new requirement that the applicant have "premises from which he conducts business—or from which he intends to conduct such business within a reasonable period of time."

These provisions changing the substantive standards for the issuance of a license are objectionable because:

The basic scheme of the Act will be substantially frustrated if these provisions so loosen the standards for issuance of a dealer's license that a person who does not conduct commercial operations may qualify for a license.[3] The Treasury Department has determined that in the past one out of every four dealer's licenses have been obtained by persons not engaged in the firearms business, and who obtained licenses primarily to avoid restrictions placed upon unlicensed persons. If this same practice were again made possible by the Senate Judiciary Committee amendment, the following basic provisions of the bill, *which do not apply to licensed dealers*, could be circumvented by persons who are not bona fide dealers and who are purchasing firearms solely for their personal use:

Prohibition against mail-order sales of handguns, rifles and shotguns. § 922(a)(2).

Prohibition against over-the-counter sales to non-residents of handguns, rifles and shotguns. § 922(a)(5).

Prohibition against transporting handguns, rifles and shotguns purchased out of State into one's State of residence. § 922(a)(3).

Restrictions on transporting destructive devices, machine guns, and sawed-off shotguns. § 922(a)(4).

The purpose of S. 3633 is to *strengthen* the Safe Streets Act by extending the coverage of that Act to long guns and ammunition. This amendment would in fact *weaken* the Safe Streets Act by relaxing the standards for issuing licenses to dealers. There has been no showing that these standards, established by the Safe Streets Act and perpetuated by S. 3633, are either unclear or unreasonable. Consequently, there is no need to change those standards—much less weaken them.

3. *The "Contiguous State" Amendment.* This amendment permits over-the-counter sales of rifles and shotguns by licensed dealers to residents of contiguous States if the contiguous State permits such sales "by law," the sale fully complies with the firearms laws of both States involved, and the dealer sends to the chief law enforcement officer of the purchaser's residence seven days prior to delivery an affidavit of elegibility to purchase. Firearms obtained pursuant to this provision also could be lawfully transported by the purchaser into his State of residence. The amendment exempts a substantial number of out-of-state transactions from the requirement that delivery be completed through a licensed dealer in the purchaser's State of residence.

The amendment is objectionable because:

It would create significant enforcement problems. For example, a State would have no authority to investigate or regulate sales to its citizens by dealers in contiguous States. How is a State to know that all the conditions of its law have been satisfied? How is such a State to proceed against dealers in contiguous States who sell in violation of its law? The purpose of S. 3633 is to channel commerce in firearms into the State of the purchaser's residence, and thereby subject the transaction to the regulatory jurisdiction of the only State that has an interest in who and what type of person has firearms within its borders. The contiguous State amendment would create a significant gap in this scheme.

It cuts significantly further than necessary to accomplish its purported objective. The amendment permits *all* residents of a State, and not just those who live near the border, to purchase *anywhere* in the contiguous State, and not just from dealers near the border. In a State like Colorado, which is surrounded by seven other States, a single group of continguous States covers nearly one-third of the continental United States.

4. *The Licensed Collector Amendment.* This amendment authorizes the Secretary to issue a "collector's license" to persons who acquire, hold, or dispose of firearms or ammunition "as curios or relics." Persons who receive such licenses are exempted from virtually every control of the Act, including the mail-order shipment and out-of-state purchase prohibitions, the restrictions against transporting into one's State of residence firearms obtained out-of-state, and the restrictions on transportation and purchase of destructive devices, machine guns, short-barreled shotguns and rifles.

This amendment is objectionable because:

It is couched in vague language of unclear effect. What is a "curio" or "relic"? Is any firearm a "curio or relic" solely because a "collector" says he wants to acquire it as such? Is the licensed collector exempted from the controls of the Act for all firearms, or only for transactions involving "curios or relics"? By what standards is the Secretary to determine who is a "collector"?

No need has been demonstrated justifying such a potentially major exemption. S. 3633 as introduced imposes no unreasonable burden on collectors of firearms. Antique firearms, defined in § 922(a)(16), are already exempt from the Act. For collectors of modern firearms, S. 3633 simply requires that delivery be accomplished through a licensed dealer in the collector's State of residence. This is as it should be, for a State has an important interest in being able to regulate the "collection" of modern operable firearms by its residents. If this amendment stays in the bill, a State's ability to do this will be seriously impaired.

Very few people are legitimate firearms collectors. To accommodate these few, who are not really substantially disadvantaged by the Act, the Judiciary Committee has adopted a loophole that may be exploited by great numbers of persons who are not legitimate collectors, but who wish to avoid the controls of the Act.

[2] These standards were taken from the Federal Alcohol Administration Act, 27 U.S.C. § 204; the provisions have worked fairly and effectively in that field, and have been reasonably construed by the courts.

[3] It is unclear what the purpose and effect are of dispensing with the requirement that an applicant have "business premises," and requiring only that we have "premises" from which he conducts (or intends to conduct) business. If individuals may characterize their own living room as the requisite "premises" to be licensed, there may be a significant risk that licenses will have to be issued to persons whose primary objective is to avoid the restrictions of the Act in purchases of firearms for their own personal use.

Mr. TYDINGS. Mr. President, support from national organizations and the news media continues for effective firearms control as this body debates the merits of S. 3633 and the Tydings' amendments for registration and licensing. I request permission to include a letter endorsing gun controls received from the legislative program committee of the 184,000 member American Association of University Women. I also request permission to insert several newspaper editorials received in my office from every section of our Nation urging the Congress to enact this much needed legislation.

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

AMERICAN ASSOCIATION OF UNIVERSITY WOMEN,
September 12, 1968.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: As the firearms control bill is now before the Senate the American Association of University Women wishes to reaffirm its support for a strong national firearms law which would:

Prohibit interstate mailing of all guns, including long guns and other firearms;

Prohibit over-the-counter sale of guns to out-of-state residents;

Require the registration of all guns and licensing of all gun owners;

Prevent licensing and also control sale of ammunition to people under eighteen, persons convicted of felony or a misdemeanor, persons who have been institutionalized because of ajudicated mental illness, drug addiction, or alcoholism, and aliens.

This position was adopted by the Legislative Program Committee of the Association, and approved by its Board the week of June 21–27, 1968, during a Conference of the national leaders of the Association.

We are of the opinion that, to be effective in controlling crime, such a law must require registration of all firearms and reregistration when such firearms change hands, and that possessors or users of firearms or ammunition should be required to have a license.

We also are of the opinion that to be effective, provision for enforcement and penalties for violations must be built into the national law. Such requirements and their enforcement seem to us as reasonable as requiring the registration of an automobile or the licensing of a driver, and no more of an infringement of individual liberties. On the other hand such requirements will prove to be a major protection for the honest citizen.

The American Association of University Women endorses the provisions of S 3633 but would like to see the provisions of S 3634, the Gun Crime Prevention Act, on registra-

tion and licensing and on penalties for violations incorporated into the final bill.

Sincerely yours,

MISS VICTORIA SCHUCK,
Chairman, Legislative Program Committee.

MRS. WIRT PETERS,
Area Representative for Community Problems.

[From the Providence Journal, Sept. 9, 1968]

DON'T JUMP THE GUN

The purpose of open hearings on gun controls before the Legislative Council was to permit the issue to be discussed from differing viewpoints in a calm, orderly and reasonable way. However an unnecessary hassle already is brewing about the hearings that are scheduled for sometime this fall.

Several weeks ago the council set the first hearing for late September, but now a request has come from 18 civic, church and service groups to postpone the hearings for about a month in order that positions on the gun control issue can be better prepared. Pistol and rifle groups in the state vigorously oppose the delay because they see nothing to be gained by the delay.

But there is something to be gained. It's true that every interested citizen and group has had ample time to gather facts and think the issue through carefully. That many groups haven't done this is not sufficient reason to hold fast to the original date. But the hearings, which are not part of the council's normal routine, were designed to bring together systematically enough enlightened testimoney to serve as a reliable basis for a weapons-control code for the state. If another month is needed to gain this objective, then the council should wait. A decision is due next week, and there appears to be sufficient time—with the hearings beginning in late October—to allow for drafting legislation for the General Assembly opening in January. Moreover, if it is clear that the council is going out of its way to see that reason, sound judgment and a genuine concern for the state's best interests prevail, then legislative leaders from other states are more likely to testify.

The matter of gun controls is a regional issue, and it is important to consider how, say, Vermont, Massachusetts and Maine state legislators feel about this or that form of control, and to strive for controls on a cooperative basis. This regional objective can be grasped if we in Rhode Island first demonstrate a dedication to high purpose in better regulating the ownership, sale and transfer of firearms.

[From the New York Post, Aug. 28, 1968]

AMMUNITION FOR DISARMAMENT

Bulky with grim statistics indicating a disturbing increase of violent crime across the U.S. last year, the FBI's latest Uniform Crime Reports will undoubtedly be mined avidly this fall by self-serving campaign orators. It remains to be seen how thoroughly the data are explored by public-serving legislators.

For example, there are the statistics relating to one type of violent crime—murder—committed with firearms in five states. In Massachusetts, guns were used in 39.9 per cent of the murders. In New York, the figure was 34.9, in New Jersey it was 41.2 and in Rhode Island 34.1. In Texas, the percentage was 70.

What accounts for the striking difference between this state and Texas, where more than twice as many murders involved guns?

One reason, if not the only one, is that New York has the toughest gun control laws in the nation, whereas Texas has virtually none by comparison. It is equally plausible that comprehensive federal controls would have similarly dramatic effects.

[From the Philadelphia (Pa.) Sunday Bulletin, Sept. 8, 1968]

CONGRESS AND GUN REGISTRATION

The nation's gun lobbyists have apparently won part of their fight, for this session of Congress, at least. They have been aided by the lull caused by the Congressional adjournment for the party conventions and the rush of the legislators now to get home to campaign.

Nothing which has happened over the summer—the murder of police; the attacks with pistols, rifles, shotguns and even machine guns; the almost daily seizure, somewhere in the country, of caches of illegal arms—none of these nor the "ordinary" crimes of violence by the gun seem to move legislators to take the stronger regulatory measures President Johnson has called for: Word from inside Congress is that registration and licensing of firearms is dead.

Gun legislation now on the Senate floor nearly approximates that already passed by the House. Each would bar interstate shipment to individuals of rifles and shotguns, adding to earlier restrictions on hand guns. For even that much, half a loaf is better than no bread.

Licensing requirements for gun owners is needed to deny legal access to weapons to criminals, dope addicts, alcoholics and the mentally ill.

In this nation, where licenses are required for dozens of legitimate uses, and generally accepted, it is somewhat incomprehensible that objections can be made to registration of lethal weapons.

[From the Charleston (W. Va.) Gazette, Aug. 12, 1968]

STATE SHOULD ACT ON GUN CONTROLS

It is obvious that Gov. Hulett Smith will not put in his special session call to the legislature the subject of gun control.

Immediately subsequent to the assassination of Sen. Robert Kennedy the governor loudly opined the state's gun laws are ineffective and need strengthening. But as the months rolled on and the assassination became a less distinct horror in the minds of all and the gun lobby increased its propaganda, Gov. Smith had second thoughts about asking the legislature for stiffer gun control measures.

It will do no good, we know, but here's what J. Edgar Hoover, head of the Federal Bureau of Investigation has had to say on the matter:

"Better control of firearms is not only desirable, but also necessary to public welfare. We have reached the point where time for debate is past; the time for action is here. I think mail order purchases should be banned. Interstate transportation of firearms should be controlled, and local registration of weapons required and enforced."

Since the federal government will not register guns, it is up to state governments to undertake the task. Until all guns throughout the nation are registered and known to police, the level of violence in American society is not apt to diminsh.

[From the Milwaukee (Wis.) Journal, July 24, 1968]

THE GUN RECORD

These figures have been released by the justice department:

An estimated 50 to 100 million firearms are in private hands in the United States. Last year 4.5 million were bought for private use, an increase of 132% over 1963. More than 1.2 million guns are being imported each year, or 46% more than in 1963.

Four United States presidents have been assassinated by gunfire. So have two mayors, two United States senators and a congressman. So, since 1963, have eight major civil rights leaders, including the Rev. Martin Luther King, jr.

From 1900 to 1966, bullets have killed 767,000 people—269,000 murdered, 360,000 as suicides, 138,000 in firearms accidents. Last year, 7,700 people were victims of homicide by firearms and 55,000 more were the subjects of assault by guns.

From 1960 to 1967, a total of 411 law enforcement officers were slain in performing their duties, 96% of them by guns. Nationally, 60% of all murders are by firearms. Nearly 30% of all homicides by firearms are committed with rifles and shotguns, normally considered "sporting" weapons.

The United States homicide rate with guns, per 100,000 population, is seven times that of Australia, Canada and Italy. It is 35 times that of Denmark, England and West Germany.

How much more bloodletting will it take to demonstrate the singular ability of the gun to kill and maim? How much more of this mindless national obeissance to firearms will we tolerate before enacting meaningful controls on guns, and on those who use them?

[From the Vancouver (Wash.) Columbian, July 15, 1968]

GRIM AND REALISTIC

New York State and Britain have figured in several recent letters to the editor on the subject of gun controls. Writers on both sides of the gun issue thought they saw evidence in these two places to support their arguments.

It might be helpful to readers to cite some statistics on gun fatalities in New York and Britain. What follows is based on figures presented by Sen. Joseph Tydings, D-Md., when he introduced his proposal for gun registration in the Senate on June 12.

New York was one of the five states cited by Tydings as examples of strong gun control laws. New York's Sullivan law, on the books since 1910, requires a license for possession of any hand weapon. For the period 1962–65, New York's gun homicide rate was 1.53 deaths per 100,000 population. The other four tough-law states were: 1.39 for Pennsylvania, 1.32 for New Jersey, 0.85 for Massachusetts and an amazing low of 0.34 for Rhode Island.

These rates compare with about 2.8 deaths per 100,000 for the nation as a whole.

The contrast is even sharper when these states are compared with states with weak gun control laws. Among states cited by Tydings, Nevada had 7.1 gun deaths per 100,000, Mississippi had 6.9, Texas had 6.3, Louisiana had 6.1 and Arizona had 4.1.

New York's gun death rate thus was slightly more than half the national rate and less than a fourth the rate of four of these weak-law states.

Britain makes New York, and even Rhode Island, look like the wild, wild west. In 1963, Britain had an almost unbelievably low 0.05 deaths per 100,000. The U.S. rate was 54 times greater that year!

Gun laws don't account for the only differences between the United States and Britain and between New York and Mississippi, but statistics as dramatic as these at least suggest that gun laws might help save a life here and there.

J. Edgar Hoover thinks so. "There is no doubt in my mind," he has written, "that the easy accessibility of firearms is responsible for many killings, both impulse and premeditated. The statistics are grim and realistic. Strong measures must be taken, and promptly, to protect the public."

[From the Bristol (Va.) Virginia-Tennessean, July 27, 1968]

CONGRESS IGNORES A VITAL CHALLENGE

The House, buckling under pressure mainly from the powerful gun lobby, on Wednesday passed a watered down gun control bill.

But already by Tuesday night a violent outburst in Cleveland had left 10 dead and 19 wounded in three hours of sniper fire.

Obviously, if the House and Senate had already passed and the President had signed into law, the strongest gun control legislation conceivable, it would probably have had no effect on the Negro snipers in Cleveland.

But the tragedy is that under the bill passed by the House and awaiting action by the Senate in September, there isn't much to deter more snipers—Negro or white—from arming themselves and firing at will.

The House bill would impose restrictions for the mail order sales of rifles, shotguns and ammunition as companions to the restriction of mail order sales of handguns provided in the recently enacted crime control act.

Also, the House bill restricts the over-the-counter sale of guns to non-residents who do not live in a bordering state—but even that provision is riddled with loopholes.

Under a last minute amendment tacked onto the bill, a non-resident can buy a gun over-the-counter by signing an affidavit to the effect that his own weapon has been stolen, lost, or is inoperative and the dealer will then notify the purchaser's police department of the sale.

The House would have been wise to scrap the whole section on over-the-counter sales rather than tack on a provision which invites widespread violation.

Where the bill fails—and why there is still nothing to deter more sniper fire or more domestic gun violence—is in the fact it does nothing to limit the circulation or accessibility of guns.

There is little reason to expect that the Senate will do more and the final gun legislation enacted into law will amount to nothing more than empty motions on the part of Congress.

We have never advocated and still don't that the nation should be disarmed, but through the experience of several violent summers and ever spiraling crime rates, it is obvious that a segment of our society should be disarmed.

Realistically, a strong gun control bill would not make it impossible for the would-be sniper, the airplane hijacker, the bank robber, or any other criminal to get a gun.

But a strong bill would make it more difficult and that is about all we could hope for. For instance mail order sales should not be restricted but banned; registration and licensing should be required of all gun owners because, regardless of the arguments of the National Rifle Association, this would not lead to mass disarmament; and over-the-counter sales of guns should hinge on the purchaser's intention in buying the weapon and the intention should be part of the vital information on the registration form.

None of these provisions are included in the House bill. We can only hope the Senate will rise above tremendous pressure but that is doubtful.

Meanwhile, Congress so far has done nothing to protect the nation from the insanity of too many guns which are too easy to obtain.

[From the Brattleboro (Vt.) Reformer, July 15, 1968]

GUN CONTROLS

The current move in Congress to bar mail-order sales of long guns to individuals and call it a day is little better than no legislation at all.

Controls on mail-order sales are a useful supplement to registration and licensing in the sense that they prevent a person from evading his state's laws by ordering through the mails.

They would be small help in states like Vermont, which have weak gun laws to start with.

The full package, containing registration, licensing and regulation of mail-order sales is what is needed.

[From the Enosburg Falls (Vt.) Standard, July 26, 1968]

BEGIN AT THE LOCAL LEVEL: STRICT GUN CONTROLS NEEDED NOW

We think St. Albans Alderman Stanley Cummings is right. The city must play its part in checking the indiscriminate flow of guns.

We think Senator Joseph Tydings (D-Maryland) was right when he said, "The need for firearms registration and licensing has existed for decades. Public opinion polls for decades have shown massive support for gun controls. The toll of tragedy caused by guns grows higher with each succeeding year. What is the roadblock?"

The roadblock is the same one which holds up passage of other vital laws. The roadblocks are special interests which lobby in our state legislature and in the Congress of the U.S. against the interests of the people. That roadblock held up action on Sen. Tydings' bill last week.

The National Rifle Assn. is such a lobby and such a special interest. A quarter of its income stems from its magazine which depends on advertising from gun and ammunition manufacturers. One of its leading spokesmen, Sen. Roman Hruska (R-Nebraska) is doing all he can to kill any law which requires licensing and registration.

We think it's time the people were heard. Death by guns won't cease overnight. But it will be slowed down and many innocent lives spared. The 300 policemen killed by guns last year could be drastically reduced.

But it's going to take all of us, from city to the national level. St. Albans must do its job because St. Albans being in Vermont where gun control is almost non-existent and being next to the border is a center for gun sales to U.S. and Canadian hoods.

In that regard, we think local gun dealers would be grateful for strict licensing of owners and registration of guns. They no more than you nor I want to sell firearms to men who turn around and kill and rob with those very guns.

The argument that all we have to do is to enforce the laws already on the books is plain subterfuge, making you and I believe that somehow at base of our trouble is moral laxness.

But the truth is there just are no laws on the books which require registration and licensing of firearms in Vermont.

And the argument that somehow this curtails a basic American right is nonsense. You register your automobile, you register for social security, and a record is made of you when you are born. The slaughter on our highways is bad enough as it is (110 deaths per day every day of the year). But think of what it would be if there was no licensing of drivers and registration of vehicles.

So we hope Alderman Cummings will not be stopped by loud cries of people who will be financially hurt by checking the indiscriminate flow of guns. After all, the loud cries of the families of those who have been cut down by guns ought to count the most.

[From the San Antonio (Tex.) Express-News, Aug. 6, 1968]

WEAPONS GOOD ONLY FOR SHOOTING PEOPLE MENACE WHOLE COMMUNITY

Death of Patrolman Richard Cuellar, 37, in a shooting incident outside city police headquarters called public attention to a set of fearful circumstances already well known by law enforcement officers.

The circumstances are these:

A small .22-caliber pistol, easy to conceal, is in wide circulation among irresponsible elements in this vicinity.

The weapon is low in price, from $6 upward, and lethal at close range.

It is not designed for hunting or target practice, but is highly effective against people.

Any person can obtain the model through mail order houses and pawn shops.

The cheap pistol, so readily available and priced within anyone's reach, poses a distinct threat not only to officers, but to the public in general.

Patrolman Cuellar was shot after a fellow officer had failed to discover the weapon on the person of a 14-year-old boy, who had been brought to the police station. The feature of easy concealment worked to the extreme disadvantage of police.

As a result of the altercation, the youthful gunman was also shot and killed, doubling the toll that the cheap .22 weapon imposed.

With police, sheriff and district attorney's estimates that hundreds of the small pistols are possessed locally, it becomes difficult to understand why the public must continue to face this menace. It is a condition beyond the argument of gun registration; instead, it is a situation that should be controlled at the source.

Citizens and their law enforcement agents are entitled to more protection under the law. Effective curbs against importation and sale of these light weapons could be fashioned, and a greater measure of order restored.

It should not become necessary for more persons to be killed before restrictive measures are taken. With cooperation of the legislature, the supply of these inexpensive man-killers can be sharply reduced, at least.

[From the San Antonio (Tex.) Express-News, Aug. 10, 1968]

ANOTHER SMALL GUN ENDS ANOTHER LIFE

Another life has been taken by one of those small-caliber pistols which lawmen say are cheap and dangerous implements good for nothing but killing men.

In a city park, an argument which need not have gone beyond hot words led to the senseless slaying of a 17-year-old boy, because such a weapon was available. From witness description, it was similar to the cheap, imported gun which cost Patrolman Richard Cuellar his life in the tragic shooting near city police headquarters.

How long must we put up with the threat to life and public order posed by these weapons? Effective means to curb their importation and easy sale must be found.

[From the Houston (Tex.) Post, Aug. 19, 1968]

CITIES SHOW WAY IN GUN REGISTRATION

The need for gun registration laws to assist police in the suppression and solution of crimes is so great that cities across the country are beginning to enact such requirements of their own since Congress, under lobby pressure, has shown a disinclination to move.

Miami Beach, Fla., Chicago, New York City and San Francisco are among major cities which are now registering guns under new ordinances adopted since the assassinations of Dr. Martin Luther King and Sen. Robert F. Kennedy.

The Miami Beach ordinance in particular has been attracting nationwide attention as being probably the toughest and, hopefully, the most effective measure to be approved any place.

Authored by 60-year-old Councilman Paul Seiderman, who served as a deputy prosecutor in Brooklyn during the days of Murder, Inc., the Miami Beach law carries a mandatory 30-to-90 day jail sentence for anyone possessing an unregistered firearm.

Before drawing the ordinance Seiderman studied registration requirements elsewhere and convinced himself that law-abiding citi-

zens have nothing to fear from registration. Requests for copies of it have been received from many other cities.

Seiderman was impressed by the fact that registration requirements in Los Angeles made it possible for police to establish within a few hours that the weapon used on Senator Kennedy had been received by Sirhan Sirhan.

Under the new Chicago ordinance, 368,000 guns were registered within a few weeks. In San Francisco police expect that a new ordinance requiring the registration of guns before Oct. 1 will enable them to trace the ownership of any of 400,000 guns if the need should arise.

New York City's new registration law applies only to rifles and shotguns since earlier legislation already covered the registration of handguns.

Only 75,000 rifles and shotguns were registered by the deadline set in the ordinance but police expect as many as 300,000 may be registered eventually.

Some of the new ordinances require fingerprints or photographs, or both, of gun owners on their registration cards. Toledo, Ohio, requires purchasers of guns to have photo identification cards.

Public opinion polls have shown wide support for the registration of guns and the new ordinances have been passed in response to that sentiment, brought about by a realization that without registration the control of lethal weapons is sure to be ineffective.

Of course, efforts to achieve registration by city ordinances will be haphazard at best. Too many people live outside of cities and too many cities will not pass ordinances.

A federal registration law applicable to everyone, regardless of where he lives, must be the ultimate solution. Until such a law is passed officers will be handicapped in dealing with crimes of armed violence.

[From the Florence (S.C.) News, July 18, 1968]

GUNS AND MURDER

Recently released Federal Bureau of Investigation statistics accords South Carolina another dubious distinction. Among the 50 states, the Palmetto state ranks second in the number of murders committed per 100,000 population.

South Carolina with 11.6 murders and non-negligent homicides per 100,000 population was second only to Alaska which had a 12.9 rate.

By way of comparison, the rate in New York state was 4.7; Ohio, 4.5; Illinois, 6.9; Pennsylvania, 3.2; New Jersey, 3.5; Connecticut, 2.0; Iowa, 1.6; Massachusetts 2.4; and Oklahoma, 5.5.

Obviously stricter gun laws will not keep murders from occurring, but the statistics indicate that they occur less frequently in states that do have more rigid gun control laws.

[From the Pittsburg (Pa.) Post-Gazette, Aug. 23, 1968]

A SLEAZY BLAST

The National Rifle Association is up to its old tricks again, judging from the experience of the Chicago advertising agency that prepared ads for a campaign favoring strict gun control laws.

In an article criticizing the campaign, the NRA's magazine, on which it makes a killing from advertising by the makers of guns and ammunition, goes out of its way to list the names of seven accounts held by North Advertising. The object obviously is an attempt to intimidate both the agency and its clients by encouraging the diehard NRA members to fire off letters threatening a boycott of products of the client firms.

The NRA has a perfect right to disagree with the gun control ads and to present its own case. But this subtle poison pen approach is, as the agency president said, "exactly the same blacklist and boycott technique used in the witchhunting era of McCarthy back in the early 50's." It would be refreshing if the NRA for once would discuss this aspect of the push for gun controls on its merits, without dipping into its customary barrages of distortion and deception.

Rather than produce the effect which the NRA is counting on, this sleazy little tactic may well backfire. If the clients of this advertising agency have an honest interest in furthering the welfare of this nation, and in reducing the bloodshed caused by the indiscriminate sale of firearms, they should see to it that North Advertising gets all the business it can handle.

[From the Royersford (Pa.) Weekly Advertiser, July 25, 1968]

CONGRESS IGNORES WISH OF PEOPLE

The overwhelming numbers of citizens who have, since the senseless assassinations of Dr. King and Senator Kennedy, beseeched Congress to enact a comprehensive gun control law, are about to learn that the American people are no match for the powerful gun lobbys to which their representatives cow-tow.

The Congress, which could have made a major contribution to law and order in this troubled nation, has side-stepped that responsibility, despite the fact that violence hangs like a heavy cloud over the whole land.

What makes the threat so real and terrifying is that the ruthless, the mentally sick and the person overcome by momentary passion can in this country find it so easy to get their hands on a gun. In no other advanced country in this world is it so easy. As former Justice Arthur Goldberg pointed out last week, an American is killed or wounded by gunfire an average of every two minutes of every day.

At the heart of proposed gun control legislation which the Senate has already rejected, and upon which the House is reluctant to act, is the registration of every gun and the licensing of every gun owner with police. The worn out argument about "hardship" for sportsmen is absurd. It would be no more of a hardship than it is for a prospective driver to apply for a driver's license.

The American Rifle Association slogan, "Guns don't kill people; people kill people," is patently silly. People with guns kill people, and more often than would be the case if guns weren't so accessible. After all, a one-armed dwarf with palsy could forever silence a Wilt Chamberlain, but he would think twice if he had to use a knife to do the job.

The mood of the nation in this matter is reflected in a report of this week from Texas in which President Johnson announced that an appeal to governors of the 50 states to survey and tighten gun control laws brought favorable answers from 40 of them. Georgia's Lester Maddox was the only one flatly opposed. Congress this year did not get the message the people tried to convey. It is up to the people to make sure Congress gets that message in November.

[From the Toledo (Ohio) Blade, Aug. 7, 1968]

GUN-LOBBY CHALLENGE

A pet argument of opponents to gun controls is that regulatory laws would deprive citizens of weapons they may need to defend themselves against an attempted takeover by a Communist or other dictator country. In a speech the other day on the need for firearms legislation, Toledo Councilman Andy Devine called this contention a "false sense of security." His understatement was generously kind to those who hold the view.

First, of course, there is no seriously proposed gun bill we know of that is aimed at depriving anyone of firearms except those such as criminals and incompetents who obviously ought not to have them. The legislative efforts are not intended to take guns away but to regulate their sale, possession, and use for the reasonable protection of society.

Second, the customary underpinning of this argument about defending against an enemy is the Second Amendment to the Constitution. Gun enthusiasts interpret it as bestowing an individual right upon all citizens to bear arms, conveniently ignoring the reference in the first words of the amendment to "a well-regulated militia." Courts generally have considered that an important qualification, however, and no bar to regulation of individual firearms ownership.

But third, and most important, there is no need to bog down in legal arguments to show how false is the notion that the defense of the country depends upon small arms in every home. One need only ask: If the argument is valid, why have we spent staggering billions of dollars annually to build and deploy around the world the most powerful, most sophisticated military establishment on the globe and in history?

Ah, some will say, but suppose the invader manages to slip by or even defeat our military forces; what would the citizens do then if they had no guns handy? Obviously the citizens would be in trouble. But it is hardly sensible to believe that, if an attacker had enough power to wipe out the most massive defense establishment in the world, he could then be stopped with pistols and shotguns and rifles—even if they were blasting from every house in the land.

Nevertheless, if—as is probably the case from our experience—the pro-gun people stubbornly persist with their argument, we think it fair to suggest a challenge: While they are lobbying so vociferously against firearms regulation, are they willing at the same time to lobby just as hard to stop spending money on the military establishment in which they profess to have so little faith?

[From the Winston-Salem (N.C.) Twin City Sentinel, July 30, 1968]

INADEQUATE GUN LAW

House action in adopting its version of a bill carrying the questionable label of "gun control" assures that this session of congress will not approve adequate regulation of lethal weapons. The reason is twofold: House advocates of control have agreed not to offer strengthening amendments in return for the minimal gun law adopted, and the Senate sentiment is more nearly attuned to the gun lobby than to the demonstrated desires of a large majority of the American public.

The House bill bans general mail order sales of rifles and shotguns, without any curbs on ammunition for them, extending to the long guns the same rule applied to hand guns. Exempt from the ban are "gun collectors," who can gain that status by paying a $10 fee, and junior rifle clubs (some congressmen claim the latter exemption also will exempt National Rifle Association clubs).

The really crucial tools for adequate control were left out altogether: registration of weapons transactions, and the licensing of gun owners. Small wonder foes of gun control said it was a bill they could "live with," and Rep. Charles S. Joelson of New Jersey commented, "I suggest that tens of thousands of Americans can die with it."

On the same day on which the House was passing its bill, federal agents in Baltimore were arresting a 26-year-old machinist and convicted felon, Timothy M. Pawlik by name, after seizing more than 100 guns and 1,800 rounds of ammunition. The one-man arsenal included an antitank gun made in Finland, a .50-caliber machine gun with two barrels

for it and three hand grenades. Without registration of weapon transactions and the licensing of gun owners, it would be no trouble at all for Pawlik and his ilk to slip $10 to a pal, get him qualified as a "gun collector" and continue to assemble the death-dealing metal.

The weakest of the mail order proposals did not budge from the Senate and House committees until after Sen. Robert Kennedy was gunned down, and an avalanche of mail pleading for controls descended upon the congressmen. And now the House's timorous approach has received at least tacit sanction by state chief executives through the refusal of the National Governors' Conference to endorse a gun control law.

How long must the lawmakers hear the sharp tattoo of sniper's bullets in the streets, and the outraged voices of their constituents, before they will be moved to realistic action? How many more assassinations are they prepared to tolerate? Their professions of concern about the instruments of violence do not square with the language of the law they are about to enact.

[From the Charlotte (N.C.) Observer, Aug. 2, 1968]

THE CASE FOR GUN CONTROLS FROM THE ST. LOUIS POST-DISPATCH

A great deal of feeling has been whipped up on both sides, and emotion alone is admittedly a poor basis for sound legislation. But there are cold, clear, rational grounds for adopting strong firearms regulation, and they must prevail in the end.

The grounds are that in an increasingly crowded urban society which already shows alarming symptoms of violence we simply cannot afford to permit unlimited traffic in and unregulated ownership of lethal weapons which are so often the instruments of that violence.

Sensible people have no illusions that gun controls will miraculously put an end to crime, or instantly eradicate the impulse to violence which makes this nation's murder rate a scandal among civilized countries. It will not in itself end political assassination or halt the shooting sprees by madmen that have become a staple item in the news.

On the other hand it is perfect nonsense to suggest, as the gun lobby does, that nationwide regulation of firearms will not have any effect on violence by firearms.

As Senator Tydings and the Department of Justice have pointed out, the few states which have effective gun control laws now also boast a markedly lower homicide rate than states with notoriously weak laws.

Senator Tydings notes that Britain with strong gun laws has an annual homicide rate of 0.05 per 100,000 of population, while the United States with weak laws or none has a rate of 2.7 per 100,000, fifty times as high.

The case for an effective nationwide system of controls, carried out by the states but with federal cooperation and federal standards, is overwhelming.

[From the New York (N.Y.) Post, Aug. 28, 1968]

AMMUNITION FOR DISARMAMENT?

Bulky with grim statistics indicating a disturbing increase of violent crime across the U.S. last year, the FBI's latest Uniform Crime Reports will undoubtedly be mined avidly this fall by self-serving campaign orators. It remains to be seen how thoroughly the data are explored by public-serving legislators.

For example, there are the statistics relating to one type of violent crime—murder—committed with firearms in five states. In Massachusetts, guns were uesd in 39.9 per cent of the murders. In New York, the figure was 34.9, in New Jersey it was 41.2 and in Rhode Island 34.1. In Texas, the percentage was 70.

What accounts for the striking difference between this state and Texas, where more than twice as many murders involved guns?

One reason, if not the only one, is that New York has the toughest gun control laws in the nation, whereas Texas has virtually none by comparison. It is equally plausible that comprehensive federal controls would have similarly dramatic effects.

[From the New York (N.Y.) Irish Echo, July 27, 1968]

RETREAT FROM SANITY

In an incredible series of moves, Congress has ignored the vast majority of the people and has killed two major gun control bills. Apparently bowing to a vociferous minority lobby, Congress has rejected gun registration as essential to the national good.

It is difficult to understand this blatant disregard for the peace and safety of all our citizens. The future of other gun control legislation according to most Washington sources is not good. Congress seems content with the fact that it has passed a law regulating the sale of guns by mail.

Though you must possess a license to fish, our federal legislators feel it is not necessary for you to go through a similar process to buy firearms. This reasoning is incomprehensible.

Opponents of gun control legislation pretend that the majority of Americans are also opposed to the passage of these bills. They have been most effective at promulgating this false premise. Apparently some members of Congress believe them. We think they will soon find out that this noisy lobby has led them down the garden path.

Recently President Johnson asked the governors of the 50 states to join in a study of how state gun control laws can be strengthened to prevent unqualified people from obtaining firearms.

Forty-five governors have now answered the President's appeal. One is opposed to it, four are noncommittal and 40 support the President's plan. The state chief executives are showing a much better understanding of the electorate than is the Congress.

The Emergency Gun Control Committee, headed by Colonel John Glenn, is not taking Congress' action sitting down. The rapidly growing national organization is making plans to oppose Congressmen who have bowed to the gun lobby. It is a wise decision—one that deserves support of all.

How many rooftop snipers does it take? How many demented murderers must we survive? Perhaps it's time for those in Congress who don't understand the problems of 1968 to retire to the porch. Gun control legislation—with strict gun registration—is essential to the health of this nation now.

[From the Albany (N.Y.) Knickerbocker News, Aug. 20, 1968]

HOW MANY MUST DIE?

And the shooting goes on.

Latest victims of the current "guns for everybody" philosophy are the father of three small children, who was killed by a sniper's bullet as he rode a Long Island Railroad commuters' train, and a dredge worker, who was wounded.

The suspect is a 16-year-old youth described as a loner and self-styled "auxiliary fireman" who likes to wear uniforms—certainly not exactly the type to be entrusted with guns without some sort of check. But under the warped "right to bear arms" philosophy so dear to the National Rifle Association and its large clique, it's as easy for such individuals to obtain guns as it is for them to buy a loaf of bread.

Just as this latest tragedy will—and should—result in new demands for effective gun control legislation, we can expect the gun lobbyists and their dupes to drag out their familiar threadbare arguments ("every citizen has a constitutional right to bear arms", "the victim could have been killed just as well by a knife or a hammer"; "it's people who kill—not guns") ad nauseum.

The facts are, as any informed citizen well knows by now:

The courts have ruled that no citizen automatically has a right to possess a gun. A gun is made to kill and it is the most effective weapon for killing from a distance. Snipers don't throw knives or hammers. And if it's people who kill, and not guns, then it's obvious that ownership of guns by people should be regulated.

The most effective and fair means of control would be registration of all guns and licensing of all gun owners and users. No, this probably would not prevent all murders and other crimes with guns, any more than universal automatic registration and driver licensing have prevented all car thefts and crimes involving the use of cars. But does this mean we just give up and give in to the gun lobby and not even make the effort? Then why have any laws?

It is most revealing that those who are braying the loudest for "law and order" (example, South Carolina's Senator J. Strom Thurmond) are in the forefront of the opponents of effective gun control, although logic would indicate that the opposite would be the case.

Could it just be that their "law and order" cries (which never seem to include demands for "justice") are thin covers for hypocrisy and racism?

How many more innocent victims must die before Congress musters the courage to defy the gun lobby and pass a truly effective gun control law?

[From the Albuquerque (N. Mex.) Tribune, July 27, 1968]

MAKING ANGER LESS DEADLY

If someone really wants to do you in, he will, whether or not he can lay his hands on a gun.

This statement, frequently expressed these days because of the debate over gun control laws, is plausible enough. If someone really wants to do you in, he'll find a way.

A look at actual homicide statistics, however, indicates that a substantial percentage of homicides result from attacks that were not made with the single-minded intent to kill.

Franklin E. Zimring, assistant professor of law at the University of Chicago, studied more than 1,400 homicides and 22,000 assaults recorded during 1965, 1966 and 1967 by the Chicago Police Department. His findings show that:

1. No less than 78 per cent of all killings, as classified by the police, resulted from quarrels based on domestic problems, liquor, sex, etc.

2. The gun and the knife were interchangeable weapons for persons who resorted to violence to settle personal arguments.

3. Some 70 per cent of all gun homicides resulted from a single wound, although a "single-minded intent to kill" should prompt the attacker to insure his result by multiple wounding.

4. Knife attacks resulted in more multiple woundings than gun attacks, yet there were five times as many killings by gun as by knife.

Zimring thus concludes that the elimination of guns would reduce the number of homicides.

Perhaps we can never solve the problem of interpersonal violence. But perhaps we can make it a little less deadly?

[From the Elizabeth (N.J.) Journal, July 22, 1968]

GUN LOBBY COUNTERATTACK

The gun lobby is waging a heavy counterattack on proposals in Congress to register

and license all guns. After waiting out the first salvo of letters and the emotional upsurge following the assassination of Sen. Robert F. Kennedy, the gun enthusiasts have unloosed a barrage that is even fiercer.

Some Congressmen report that their mail, which had been strongly in favor of gun controls, is now running 15-1 against passage of such laws. The effect is that Congress has stalled the legislation.

The National Rifle Association claims that the issue has raised membership to over one million. Gun hobbyists have joined in a concerted campaign that uses all manner of attack. One of its worst features is the charge that gun laws play into the hands of conspirators trying to undermine this nation by taking away the constitutional right to bear arms.

This kind of "Communist under every bush" scare tactic is insulting to Americans who genuinely fear the spread of violence and the arming of the neighborhoods in the tension of America's racial turmoil.

Britain, France and other European countries with democratic institutions as strong as America have stringently controlled guns without sacrificing the rights of legitimate sportsmen and gun hobbyists. And they have substantially reduced the risk of murder by gunshot or crimes using guns.

The warning should be clear by now. Unless the proponents of stiff gun controls keep up the pressure, Congress will adjourn without taking any action.

[From the Portsmouth (N.H.) Herald, July 30, 1968]

GUN LAW FIGHT NOT YET OVER

The assassination of President Kennedy, for all its profound traumatic effects, was not a sufficient stimulus to counteract the work of the gun lobby and prod Congress into enacting strong gun control legislation. The assassination of his brother, Sen. Robert F. Kennedy, has now also failed to provide the necessary impetus to force passage of such law.

One might argue, perhaps with a touch of cynicism, that this is as it should be—that isolated events of this kind do not in themselves warrant passage of effective federal law curbing the sale and possession of firearms. The argument has some merit if taken simply at face value. Clearly, the murderous acts of two men—political fanatics, psychotics, call them what you will—are not in themselves a satisfying argument for such legislation.

The essential point ignored in this outlook is that the assassinations—and additionally the shooting of Dr. Martin Luther King, Jr.—cannot be considered out of context. They merely dramatize the atmosphere of violence which infects American society, and whose manifestation is fostered by the loose controls we exercise over the scores of millions of guns possessed by citizens. The point made by the more reasonable advocates of firm gun control is not that this would prevent political assassinations, but that in due time such law would tend to put a damper on use of the gun as the "great equalizer."

The phrase, significantly, is still advanced by gun control opponents as an argument for their viewpoint. The fact is that this concept tends to undermine the whole rationale of virtually uninhibited access to guns. For the gun is indeed the "great equalizer," in the unintended sense that it enables one madman to destroy a great leader and disrupt a nation.

Congress has again, in large part, bowed to the will of the gun lobby. The matter must be taken up again early next year when the new Congress convenes. The need for firm, sensible gun controls remains.

[From the Dover (N.H.) Foster's Democrat, July 31, 1968]

THE THWARTING MINORITY

Not long ago the city council of a middle-sized Western city had a public hearing on a proposed gun control ordinance. The measure suggested was mild enough, its salient provisions being directed at keeping guns out of the hands of juveniles, criminals and mental incompetents, and at establishing a "cooling-off" period between purchasing and taking home a gun.

Mild or not, the proposal brought out the gun control opponents in force. Nearly 1,000 persons, all but a few of them against any city ordinance at all on the subject, were mustered in a mass attempt to sway the city fathers.

A few days later, the mayor—who had, incidentally, been the object of threats and vilification because he called the hearing—announced the results of a citywide opinion survey done by a professional polling group. He noted that it showed overwhelming public support for some kind of gun control ordinance.

The episode is illustrative of what has been happening in Congress. The strident, organized opposition mounted by a distinct minority of the American public has once again thwarted efforts to enact effective federal gun control law. What we will have, when all the backing and filling is over, is a watered down substitute for the sensible measures that were proposed.

Without commenting on evidence in the case we might point out that the murder of a Rochester woman this past weekend would probably never have occurred had a strict gun control law been in effect.

The great majority of Americans favor nationwide regulation to lessen the innate hazards in substantially unregulated sale and possession of firearms. The American people have been profoundly disturbed by the assassination of President Kennedy and the successive political murders that followed. They are dismayed to find that our gun-murder rate is far higher than in most civilized countries, and that guns have taken more lives here at home in this century than were lost in all the nation's wars.

Most people, in short, want effective controls; poll after poll has shown that. But Congress has responded again, instead, to the pressures of the National Rifle Association and like-thinkers. A little progress was made this time around, but not much. The task of enacting the sort of gun controls a large majority of the American people want will be up to the next Congress.

[From the St. Louis (Mo.) Post-Dispatch, Sept. 3, 1968]

THE CZECHS AND GUN CONTROL

Some opponents of gun-control legislation are advancing the view that the Soviet-bloc invasion of Czechoslovakia demonstrates the usefulness of an armed citizenry. Their position is that the Czech resistance was hampered because civilians were not armed, and that therefore American resistance to a possible invasion would be blocked if citizens' guns were taken away from them.

Bypassing the point that no one has proposed confiscating civilians' weapons, the idea of an unorganized group of individuals with handguns and sporting arms standing up to tanks, armored cars, machine guns, gas and other weapons, handled by tough and well-trained troops, is on its face preposterous.

Indeed, if there is an argument here at all it is in favor of forbidding civilians to have guns. A few well-placed shots by Czech civilians acting on their own could have provoked a mass slaughter by the Russians. In the context of the Russian invasion of Czechoslovakia impromptu armed resistance would be the worst tactic possible.

A guerrilla-type resistance to an invading force would be a different matter; in this situation, presumably, innocent civilians would not be made victims. But also, in such a situation, guerrillas would be provided with military weapons and competent leaders. The Czech people followed the only course practical under the circumstances; killing a few Russian soldiers would have made things much worse.

[From the St. Louis (Mo.) Post-Dispatch, Aug. 22, 1968]

WHY GUNS ARE BOUGHT

Statistics compiled in a survey by the Stanford Research Institute provide a powerful argument for adequate gun control legislation. The researchers found that twice as many firearms were sold in 1967 as in 1963; the only conclusion that can be reached is that these guns were not bought for sporting purposes, but for purposes connected in some way with urban riots.

The researchers said that the increased gun sales were partly the result of "grossly exaggerated" reports of sniping and use of firearms in civil disturbances. It is quite likely that most persons who have purchased weapons because of their reaction to riots are the very persons who should not have guns at all. The chances are they are inexperienced in handling firearms responsibly, and are a danger to themselves as well as to others.

Registration and licensing laws might not get at all the weapons now in private hands (the researchers placed the number at 115 million) but they certainly would put brakes on this sort of dangerous panic buying. As the researchers said, "The dangers of living in a society where violence by firearms has reached unacceptable levels clearly outweigh the inconvenience for those who would be required to register under an effective law."

The ineffectiveness of current law was demonstrated in St. Louis just the other day when two young men displaying shoulder guns turned up as former Congressman Adam Clayton Powell visited the city. Both were in apparent violation of the National Firearms Act, but the city would have an easier time moving against them under a proposed ordinance being considered by the Board of Aldermen. Stronger laws are needed at both the national and local levels.

[From the Columbia (Mo.) Tribune, July 17, 1968]

GUN REGISTRATION

The objection to gun registration that is heard most often is that the government will use the information to come around and impound everybody's firearms.

The only word for such a line of reasoning is ridiculous.

What sort of paranoia is it that prompts people who otherwise appear rational into an expression of such patent nonsense? It is this apparent loss of equilibrium among gun registration opponents that is so puzzling. These are the same people who cooperate readily in the other individual statistics kept at all levels of government. They can find no potential Nazism in auto registration or birth records (which—horror of horrors—include footprints!). They do not view a government which keeps records of property ownership as a modern day black hand society (are we to expect its minions to show up one dark and sinister night to commandeer our property right out from under us?). They are willing to identify themselves as the legal purchasers of narcotic drugs, as registered operators of motor vehicles and as holders of social security numbers (which seems to make us register just for being alive!).

In short, they keep their cool until someone mentions signing up to legally buy a gun, and then they go ape!

Surely the only people by now who don't know that guns in private hands are the instruments of daily illegal violence are hermits, and we are not too concerned with them. The people who are to be feared are the millions who walk around with guns stuck under the armpits, in their bedside

tables, behind their counters or under the seat of their cars. America is unique in the inclination of its citizens to make daily companions out of lethal firearms.

Registration of guns would no more spell an absolute end to their misuse than auto registration guarantees good driving or laws against murder dispels homicide. But it is even less likely to result in the sudden transformation of the United States government into an agency of illegal search and seizure.

The bald fact is that it would not be legal for the government to take away anybody's gun without due process of law. Our right to legally own a duly registered firearm would enjoy the same constitutional guarantees that now protect our right to own other pieces of property. Those guarantees could not be whisked away by lawmakers who see fit to provide for official records documenting gun ownership.

No, the gunnies will have to do better than that. They will have to make their case based on the fact that gun registration will have no beneficial effect on the misuse of firearms, and the possibility of this is nil.

Sooner or later the Congress will wake up to what the majority of Americans already know—that guns are weapons of human destruction of such potency that their indiscriminate and subrosa ownership cannot be allowed to continue.

[From the Washington (Mo.) Missourian, July 18, 1968]

"AMMUNITION" FOR A GUN CONTROL LAW

The question is: Is it possible for a mental patient to get a federal license as a firearms dealer?

The answer is: Yes. It is not only possible, but it is being done!

Up until some months ago a young man from St. Louis worked around in Washington, and became well known in the county. He suffered a nervous breakdown last winter and was a patient in a mental hospital in St. Louis for four months. He is cured and well now, and is making his home in St. Louis, where he has obtained a responsible position.

In a letter a few days ago to The Missourian, the young man recounted an experience he had with guns. Before going any further, it should be pointed out that he is well known at The Missourian office, and has always been found reliable, trustworthy and accurate in his estimate of things.

"If you are interested in any extra ammunition in support of a gun control law," he wrote, "you might be interested to know that I was able to renew, in my name, a federal firearms dealer's license at the same time I was a patient in a mental hospital!"

He explained that the federal license permits "the dealer to buy, sell and transport interstate, rifles, shotguns and pistols without any further government authorization."

The license "also can be used to circumvent Missouri's fairly strict pistol purchase provisions," he stated and added:

"So far as I know, there is no restriction against the mentally ill obtaining a dealer's license and I know of no media news stories, national or otherwise, which have gone into this aspect of gun control. Since the number of licenses issued far outnumbers the total of regular dealers, the situation is something of a national scandal. Washington alone has at least several such licenses!"

The young man in question ought to know. What's more important is that our legislators in Congress ought to know, too, but apparently don't.

[From the St. Louis (Mo.) Post-Dispatch, Aug. 17, 1968]

MUZZLES, GUNS AND PIPE

The National Rifle Association's attempt to generate a boycott against clients of an advertising agency that has been working for effective gun control legislation reveals a good deal about the gun lobby. But more than anything else this resort to economic intimidation as a tactic to muzzle a troublesome opponent suggests a loss of faith in the force of the associations own intellectual position. If so, then for once NRA stands on firm ground, as witness:

"Registration of plumbing materials may come next," cries a headline in red ink over an editorial in *The American Rifleman*, the association's official organ. The connection between plumbing and shooting, the *Rifleman* explains, is that with hardly any tools an ordinary pipe can be converted into a handgun, employed to commit a crime and then can be taken apart instantly to become nothing but anonymous pipe. The implication is that gun registration would be silly. "What needs to be controlled," the *Rifleman* says, "is the criminal impulse in people, not inanimate objects like guns—or a plain piece of pipe."

We would not accept as fact the existence of a "criminal impulse" in people, particularly among the law-abiding members of the Rifle Association. It is a fact, though, that firearms are used in a majority of the homicides in this country (6476 of 10,920 such crimes in 1966), in most of the robberies in which a weapon is used and in a substantial number of aggravated assaults. That being so, it seems to us sensible to try to control firearms both by licensing owners to prevent possession by anti-social types and by registering weapons to assist police in solving crimes committed with them.

Given licensing and registration, some people no doubt might be inclined to rip out their plumbing, construct a zip gun, commit a holdup, dismantle the gun and reconstruct the plumbing. There is no suppressing the do-it-yourself movement. But nobody has to go to all that bother now; anybody can get a gun just about anytime anywhere. Isn't the easy availability of deadly weapons in this country a major cause of our high homicide rate? A growing number of Americans are inclined to answer Yes, and want effective gun control legislation adopted; which of course explains why the Rifle Association is trying to silence the advertising agency that has helped point up the need.

[From the Duluth (Minn.) News Tribune, Aug. 22, 1968]

FEDERAL GUN CONTROL NEEDED

The approval of a limited gun control bill by the Minneapolis City Council is another example of what will continue to be done until Congress finds the gumption to enact a meaningful national law.

The Minneapolis ordinance provides for registration of sale of hand guns.

However, there is no mention of rifles, or long guns.

There were several reasons why the council stopped short of including rifles. One was the strong protest by members of the National Rifle Assn. and others arguing on out-dated constitutional grounds.

Of more significance and the one which produced at least equal pressure was the point of Minneapolis businessmen. They said prospective purchasers of rifles merely would go to suburban communities which did not have gun control ordinances and make their transactions there.

So it is across the nation with states which already have gun control laws, cities which have ordinances, or the more numerous which have none at all. Each reads differently and each leaves a varying degree of escapement which tends to nullify their effectiveness.

Congress has shown few collective signs of passing stiff gun control legislation. The lawmakers would prefer to palm the whole thing off on the states—basically a good idea, but it is only a form of buck-passing in face of the hodge-podge of laws, outright indifference or delays which would result.

The frustrating experience of the Minneapolis City Council—an illustration of what could have been done but wasn't—is doomed to be repeated in the continued absence of definitive and comprehensive federal gun control legislation.—Mankato Free Press.

[From the Battle Creek (Mich.) Enquirer & News, August 1, 1969]

IN BITS AND PIECES, GUN CONTROL ARRIVES

The Toledo City Council passage of a city law to control sale of handguns in that Ohio municipality further convinces us that, in time, we're going to have widespread curtailment of gun traffic, even if it is a patchwork quilt of regulations.

San Francisco also has just enacted a new law requiring registration of all firearms by Oct. 1, more proof of our point.

Toledo's action must be of special comfort to law enforcement agencies in lower Michigan.

For many years, police in the Detroit area especially have complained that hoodlums had only to travel across the state line into Ohio, which has been more permissive than Michigan on gun control, and buy the weapon of their choice from a wide assortment.

The Toledo ordinance requires all gun owners to register them with the police within a month. Gun dealers and pawnshops must purchase licenses within 30 days or stop selling firearms.

Minors can't buy guns under the ordinance and out-of-towners must apply for registration and wait out a police check for possible criminal record.

Authorities in the Lake Erie city are pleased, but they lament area suburbanites aren't affected.

Ohio's legislature, spurred by lawmakers from the Toledo area, turned an ear to appeals for a state gun control law last year. But the plug was inserted when the state chapter of the National Rifle Association and hunter and collector groups protested.

So the piecemeal approach to lawmaking on a subject crossing local community and state lines reigns again.

In defense of local and state bodies, it must be said that many of them were expecting stronger action from the Congress than we got. Congress this spring went just part way toward alleviating the gun traffic problem, despite a Louis Harris poll conducted in April indicating 71 per cent of the American public favored passage of federal gun control laws.

A so-called anticrime measure touching handguns became law in June as the first significant step toward federal gun control in 30 years.

Provisions, though, are limited to prohibition of interstate mail-order sales of handguns to individuals; banning of over-the-counter sale of handguns to nonresidents of a state or persons under 21; and curbing of imports and sales of surplus military weapons.

There was no provision for regulating sales of rifles or shotguns across state lines, but another bill for that has passed the House and is before the Senate now.

Americans have listened to the smokescreen argument long enough that gun registration is "a misguided step toward a police state."

Good sense and the heat of the times say that somewhere under these layers of local, state and federal legislation law-abiding Americans may be able to find some confidence to feel a little safer again.

Having a gun in total secrecy doesn't guarantee that feeling. Not when you know every thug in town finds it easy to amass an arsenal.

[From the Natick (Mass.) Suburban Free Press & Recorder, August 8, 1968]

PRO AND CON FIREARMS LEGISLATION

High on our list of suspicious characters are the National Rifle Association and the other gun-lovers who want to keep arms free for all men, willy-nilly.

We would find much to be said for many of the NRA's arguments—that Americans have a constitutional right to bear arms, that law-abiding citizens would be classed with outlaws, that laws governing gun possession may be a foot in the door to laws banning ownership and use of weapons.

But what sours us on the NRA and the other militant gun groups is the irrationality of their propaganda.

As is the case with most people who know their arguments are on shaky ground, the firearms promoters cover their tracks with half-truths and weasel-words.

Recently received was a piece from the National Shooting Sports Foundation Inc. of Connecticut. It purports to be an analysis of the Sullivan Law, which governs the ownership of weapons in New York State and New York City.

We extract from the piece several items:

Registration of all firearms in America will be expensive. This report gives a figure of "as much as $5 billion." It is based on the assumption that there are as many as 200 million firearms in America and that the cost of registration would be $25 per firearm. There is no foundation given for any of the figures arrived at, nor is the "scare figure" of $5 billion ameliorated by noting that many weapons are already registered with police and would therefore not be included in the cost, nor that the registration would be probably phased in over an extended period of time to spread out the cost, nor that the death of a President, a United States Senator and a civil rights leader might be worth some money to prevent.

Despite the Sullivan Law, the crime rate in New York, particularly in the city, has skyrocketed, says the report. New York City, victim of the world's worst blackout, subway strike, garbage-collectors' strike, taxi strike, and so on, is perhaps the worst city in America to look at for typical indices of crime, or in fact, any other trend.

Despite a severe gun-control law, says the NSSF, the number of illegally-owned pistols has continued to rise. Far from making us question the wisdom of gun legislation, it should make us doubly concerned of the efficiency of our enforcement.

Those are what purport to be reasonable statistics.

The report then gets into some muddy-ground on generalizations about gun laws and their effect on public ownership.

Here is one: The report admits that in New York, which has the strict Sullivan control law, 36 percent of criminal homicides are committed with a firearm, against 59 percent for the nation. Looks as if the Sullivan law is working, doesn't it? Not so, says the shooting group. If you separate the homicides committed with handguns from those committed with rifles and shotguns, you will see that homicides with the latter are lower relatively than are homicides committed with handguns: Therefore it can be said that the "percent of New York homicides which are committed with a firearm is lower because of cultural factors and not because of the effects of the Sullivan law."

Not only is that logic faulty, but here is another:

"Gun owners know that if the police have the power to register firearms, and say who shall and shall not own one, then the American sportsman will not long be able to own his sporting rifles and shotguns."

The suggestion here is that the police are bent, for malevolent reasons best known to themselves, on stripping the American public of its weapons.

Our stand on gun legislation is based on the fact of recent assassinations and other sensational abuses of the almost unlimited access of citizens to weapons, coupled with what appears to be a very strong violent streak in the national character.

We also note that in Massachusetts, for example, the use of an automobile is not a right but a privilege. This is the principle on which ownership of weapons should be based.

Finally, the irrationality demonstrated by the organizations that purport to represent many gun-owners in the United States causes us to question the mental attitude of those who most violently oppose constructive gun legislation.

[From the Ellsworth (Maine) American, July 24, 1968]

The Gun Debate

There are a great many legitimate misgivings about any legislation that imposes upon ordinary citizens new burdens of inconvenience and new intrusions of governmental discretion, however insubstantial. These misgivings apply to proposals for registering firearms of all kinds and licensing gun owners. Expressions of these misgivings are strictly in order and a part of reasonable debate and discussion.

Much of the opposition to all kinds of gun legislation goes far beyond these rational doubts into a kind of emotional hysteria and irrational frenzy. No one has seriously proposed legislation that would deny the constitutional right to bear arms. No such legislation is before Congress and none has been before it. The Courts long since have held state legislation regulating the use of firearms to be within the reach of the Constitution. The Constitutional issue is a red herring.

A letter in this issue raises this issue. In addition, it makes the equally fallacious argument that the strict provisions of New York's Sullivan Law have not curbed crime in New York. Actually, New York's record on crimes and accidents involving firearms is far better than that of States without gun laws.

Of course gun registration and licensing laws are not going to eliminate all crimes and accidents involving guns. It is wrong of the advocates of these measures to infer or suggest that they will do so. It is reasonable to hope that by limiting mail order sales of firearms and registering their ownership the appalling annual loss of life from firearms might be diminished.

How much inconvenience are we willing to submit to in order to cut down a casualty rate rivalling that of the war in South Vietnam? That really is the question. It can be debated reasonably without conjuring up false alarms of "socialism" or false hopes of eliminating all weapons deaths and injuries.

[From the Baton Rouge (La.) Advocate, Aug. 1, 1968]

Why Not Treat Everybody Alike?

The bill to restrict mail order sales of rifles, shotguns and ammunition, as passed by the House, exempts a little-known organization, the National Board for Promotion of Rifle Practice, which is described as a military-civilian body closely aligned with the National Rifle Association. Washington reports are that the NRA will be the principal beneficiary, an allegation not denied by congressmen who are NRA members. They answer only that the NRA will not be the sole beneficiary.

Chairman Emanuel Celler, D-N.Y., of the Judiciary Committee describes it as a "dreadful amendment" which would immunize the NRA and its members from the bill. Whether such strong language is entirely justified or not, we do not now know. But if the amendment does have any such effect, its only obvious purpose is to placate NRA members and reduce opposition to the bill. The exemption should be removed immediately.

There is no reason to suppose that NRA members or members of the National Board for Promotion of Rifle Practice are any less deserving than any other citizens. But neither is there any reason to suppose that they are any more deserving—that they are any more patriotic, discreet or law-abiding than the rest of us or any less likely to put guns and ammunition to some unlawful use or allow them to fall into the hands of the wrong people. We do not believe that the members of any such groups want to claim any such superiority.

If this is the effect of the amendment, if it is allowed to stand, and if the bill in its present form becomes law, the two organizations named will have no trouble whatever in selling memberships.

[From the Louisville (Ky.) Courier-Journal, Aug. 26, 1968]

Plumbing the Depths of Fantasy

The latest propaganda gambit of the National Rifle Association has an air of desperation about it. The NRA has embarked on a crude campaign to pressure an advertising agency that has been working for effective gun-control legislation. How? By proclaiming that it makes as much sense to register guns as plumbing materials, which happen to be produced by a client of the agency.

For the benefit of those who may have difficulty in making the connection, *The American Rifleman*, the official organ of the NRA explains: With hardly any tools, an ordinary pipe can be converted into a hand-gun, employed to commit a crime, then taken apart instantly to become only a pipe again.

So there you are. If we get licensing and registration of guns, people will then turn to dismantling their plumbing to make zip guns, dismantle the gun and reconstruct the plumbing. Letter writers throughout the nation, who take their cue from the NRA, will now dutifully sit down and write Congressmen and newspapers repeating this story.

As the *St. Louis Post-Dispatch* points out, however, "There is no suppressing the do-it-yourself movement. But nobody has to go to all that bother now; anybody can get a gun just about anytime anywhere. . . . A growing number of Americans are inclined to . . . want effective gun-control legislation . . . which of course explains why the Rifle Association is trying to silence the advertising agency that has helped point up the need."

The *Post-Dispatch* itself used to take a rather cautious approach to gun controls, but the mindlessness of the arguments of the gun lobby and the tactics of the NRA have become too much to take. "It seems to us sensible," that newspaper now contends, "to try to control firearms both by licensing owners to prevent possession by anti-social types and by registering weapons to assist police in solving crimes."

[From the Louisville (Ky.) Courier-Journal, Aug. 28, 1968]

Kentucky Is Right Up There in Gun Murders

Kentucky has a high ranking among the states in one unenviable respect. We ranked No. 2 in the nation in the percentage of murders committed by firearms during the past five years.

According to a Federal Bureau of Investigation report, there were 1,158 murders in Kentucky during 1962–67, and of this total 77.3 per cent were committed with firearms—not with knives, zip guns, hatpins, lances, poison, old pieces of plumbing, sling shots, or any of the other bizarre weapons conjured up by the gun lobby to discredit efforts to regulate the traffic in firearms.

Only Vermont had a higher percentage of murders-by-firearms, but Vermont had far fewer murders in the same period—26. Of the 26 murders, 83.3 per cent were committed with firearms.

The percentage comparisons between states may not be very meaningful, but any way you look at it, the firearm is the favorite murder weapon in Kentucky as firearms are preferred by murders, robbers and assorted hoods and nuts throughout the country.

The figures apply only to murders. They do not include accidental killings or suicides, and they do not include woundings by firearms.

THE GOOD OLD DAYS

Kentucky, like many other states, has no meaningful restrictions on the traffic in firearms. One might assume in Kentucky's case this free and easy way with guns is rooted in the state's Daniel Boone, frontier tradition. Yet, paradoxically, Kentucky was the first state to enact curbs on the carrying of concealed weapons—in 1813, when the commonwealth was a frontier state. The Kentucky law prohibited the carrying or "wearing" of concealed pistols, except when traveling. Traveling in those days in Kentucky was dangerous, and travelers were expected to look after themselves.

Since that time, however, Kentucky has done virtually nothing to regulate the lethal traffic in firearms. The gun lobby, here and elsewhere, argues tht we do not need to regulate firearms; that "people, not guns, kill people," and that therefore the answer is to impose stiffer criminal penalties against people who use firearms in the commission of crimes.

Well, Kentucky, in 1946, amended its law to make the carrying of a concealed weapon a felony rather than misdemeanor, and the chief effect of this was to make convictions more difficult to obtain. "Possibly in Kentucky, a state composed of people . . . known for their gun-toting propensities," observed the *Kentucky Law Journal*, "it is too much to ask a jury to find a fellow guilty of a crime which will subject him to a minimum of two years in the state penitentiary."

In any event, the imposition of stiffer penalties did not serve as a deterrent, as the FBI figures tragically attest.

[From the Parsons (Kans.) Sun, July 26, 1968]

WEAK GUN LAW

The U.S. House has responded to the pressing need for a strong gun law with weak, watered-down legislation which only goes through the motions of instituting control.

A similar bill has been approved by a Senate committee and it appears that if anything comes out of Congress this year, it will be control in name only.

The strange aspect of gun control legislation is how members of Congress bow so readily and willingly to a militant minority whose spokesman is the National Rifle Assn.

The NRA has a fetish which amounts to an obsession on registration of firearms, claiming it is something of a deep, dark Communist plot to capture the nation. It sees a red under every bed.

When many other items from babies to boats are registered under law in this country, the hysteria about registration of firearms is almost beyond belief. A majority of Congress is engulfed in the hysterical wave and shirks its duties in approving legislation whose need, goodness knows, has been demonstrated all too many times.

The most optimistic view is that gun control may get a toe, not even a foot, in the door in this session. That will be better than nothing, though not by much.

[From the Terre Haute (Ind.) Tribune-Star, August 3, 1968]

WE STILL NEED GUN LAW

The assassination of President Kennedy, for all its profound traumatic effects, was not a sufficient stimulus to counteract the work of the gun lobby and prod Congress into enacting strong gun control legislation. The assassination of his brother, Sen. Robert F. Kennedy, has now also failed to provide the necessary impetus to force passage of such law.

One might argue, perhaps with a touch of cynicism, that this is as it should be—that isolated events of this kind do not in themselves warrant passage of effective federal law curbing the sale and possession of firearms. The argument has some merit if taken at face value. Clearly, the murderous acts of two men—political fanatics, psychotics, call them what you will—are not in themselves a satisfying argument for such legislation.

The essential point ignored in this outlook is that the assassinations—and additionally the shooting of Dr. Martin Luther King Jr.—cannot be considered out of context. They merely dramatize the atmosphere of violence which infects American society, and whose manifestation is fostered by the loose controls we exercise over the scores of millions of guns possessed by citizens. The point made by the more reasonable advocates of firm gun control is not that this would prevent political assassinations, but that in due time such law would tend to put a damper on use of the gun as the "great equalizer."

The phrase, significantly, is still advanced by gun control opponents as an argument for their viewpoint. The fact is that this concept tends to undermine the whole rationale of virtually uninhibited access to guns. For the gun is indeed the "great equalizer," in the unintended sense that it enables one madman to destroy a great leader and disrupt a nation. Congress has again, in large part, bowed to the will of the gun lobby. The matter must be taken up again early next year when the new Congress convenes. The need for firm, sensible gun controls remains.

[From the Lafayette (Ind.) Journal & Courier, Aug. 12, 1968]

THE THWARTING MINORITY

Not long ago the city council of a middle-sized Western city had a public hearing on a proposed gun control ordinance. The measure suggested was mild enough, its salient provisions being directed at keeping guns out of the hands of juveniles, criminals and mental incompetents, and at establishing a "cooling-off" period between purchasing and taking home a gun.

Mild or not, the proposal brought out the gun control opponents in force. Nearly 1,000 persons, all but a few of them against any city ordinance at all on the subject, were mustered in a mass attempt to sway the city fathers.

A few days later, the mayor—who had, incidentally, been the object of threats and vilification because he called the hearing—announced the results of a citywide opinion survey done by a professional polling group. He noted that it showed overwhelming public support for some kind of gun control ordinance.

The episode is illustrative of what has been happening in Congress. The strident, organized opposition mounted by a distinct minority of the American public has once again thwarted efforts to enact effective federal gun control law. What we will have when all the backing and filling is over, is a watered down substitute for the sensible measures that were proposed.

[From the Chicago (Ill.) American, July 26, 1968]

THE RIDDLED GUN BILL

The latest contest between the American public and the gun lobby has ended about as usual: The public got a little something to keep it happy, but the gun lobby and its followers in Congress made sure it didn't get much. The House approved something that could be called a gun control bill, but only after riddling it with so many holes that it would cast a polka-dot shadow.

The bill, adopted 304 to 118 Wednesday, prohibits the interstate sale of rifles and shotguns thru the mail, except between licensed dealers in firearms. But a "licensed dealer" is anybody who wants to pay $10 for a license—a small fee for evading this law. Other sections have similar loopholes.

For instance, the bill prohibits over-the-counter sales of long guns to customers who don't reside in the state—except those from contiguous states, and except those who sign an affidavit stating that they need a firearm because their own has been lost, stolen or made inoperative.

The measure prohibits the mail-order sale of ammunition for pistols, revolvers and weapons of destruction such as bazookas and mortars. But, as amended by Rep. Clark MacGregor [R., Minn.], it allows unrestricted over-the-counter and mail-order sales of ammunition for rifles and shotguns, and of rimfired .22 caliber shells, which are used both in pistols and rifles. In other words, only large-caliber pistol ammunition is affected; the purpose of this provision was largely thwarted.

Finally, an amendment by Rep. Robert Sikes [D., Fla.], an official of the National Rifle Association, had the remarkable effect of using Congress as a kind of recruiting agency for rifle groups. Sikes' amendment, adopted 225 to 198, exempted from the bill's provisions the National Board for Promotion of Rifle Practice, a civilian-military group allied with the N.R.A. The result is that most gun fanciers can avoid being bothered by the law merely by signing up.

We are left wondering what the price in lives must be for a strong gun control law. Congress is certainly holding out for a high one.

[From the Champaign (Ill.) Courier, Aug. 2, 1968]

AN UNORGANIZED MAJORITY

Apparently the only hope of getting strong national gun controls is the creation of a permanent organization which can compete with the National Rifle Association.

This seems true after following the recent gun-control debate in the House of Representatives which ended with the passage of a watered-down bill that prohibits the interstate sale of rifles and shotguns.

The bill, passed last week, now goes to the Senate where final action is not expected until September. The Senate Judiciary Committee has approved a similar bill.

Immediately after the assassination of Sen. Robert F. Kennedy, there was an outpouring of mail to Congress demanding strong gun controls. It seemed at the time that a strong national bill including registration of guns and the licensing of gun owners could easily pass both houses of Congress.

Soon the flood of letters and telegrams subsided, and the mail campaign of the National Rifle Association brought a rising tide of pressure on Congress.

President Johnson had called for a strong firearms bill, and mustered the administration forces behind it.

Former powerful opponents of gun controls such as Sen. Mike Mansfield, majority leader, switched and became backers of strong gun control legislation.

Col. John H. Glenn Jr., the first American to orbit the earth, and a close friend of both John and Robert Kennedy, was named head of a nationwide Emergency Committee for Gun Control.

All of this national sentiment and activity soon succumbed to the well-oiled, political pressure machine of the National Rifle Association.

Inertia soon overcame the unorganized letter writers who wanted strong gun controls and no one got them again to take pen in hand—at least not many of them.

The House killed "registration of guns" and "licensing of owners" proposals by better than two-to-one margins.

The only hope for strong gun controls, it does seem, is the creation of a permanent gun-control organization with its own lobbyists such as the NRA has.

A bit of familiar advice seems appropriate for anti-gun backers. It's time to "Fight fire, with fire."

[From the Danville (Ill.) Commercial-News, July 30, 1968]

WEAK GUN CONTROLS

Of Congress' vacillating, timid action on gun controls, the kindest thing to be said is that its measures are better than nothing, but woefully short of what the circumstances require.

Even while the lawmakers debated weapon control proposals, sniper deaths in Cleveland dropped a grim hint of how much worse a long hot summer could be with inadequate gun curbs.

Starting with the assassination of Robert F. Kennedy, which provided the latest impetus for more realistic controls, the evidence of need has mounted in the day-by-day news: Three shot and wounded in a New York City housing project . . . A family of six found slain by gunfire . . . A Texas district attorney killed in a hail of bullets . . . A Grosse Pointe, Mich., girl killed by pistol.

Only when the test of what and should and could have been done by Congress is applied does the extent of its betrayal of the public welfare become apparent.

The House approved a ban on interstate mail order sales of rifles and shotguns and of handgun ammunition. Added to a comparable ban on handguns, this measure will help, of course. Vacillation extends into the Senate. A committee okayed a similar measure but the full Senate isn't expected to act until after Labor Day and the political party conventions. To the credit of the House, it also included bans on (1) over-counter sales of rifles, shotguns and bigger weapons to most non-residents of a state, except to buyers from an adjoining state and (2) to store sales by under-18 customers.

But both the House and Senate by-passed a federal registration proposal and state licensing for gun owners, measures which would have attained wider and more certain controls without in any way jeopardizing the owners' constitutional privileges. The House, charitably, exempted "gun collectors," for a $10 license fee, from the ban on interstate trade in guns. This should spring a new crop of gun collectors.

Congress' willowy attitude seemed to infect the governors' conference which turned down any coordinated national approach to gun controls. Yet like Congress, the governors showed a certain courage. They were aroused enough to express, in resolution form, "their individual concern."

Rep. Charles Joelson of New Jersey sums up widespread disappointment in congressional action. After the House bill passed pro-gun leaders said they could "live with" it. "I suggest that tens of thousands of Americans can die with it," retorted Rep. Joelson. "This bill is far too weak."

[From the Honolulu (Hawaii) Star-Bulletin, July 27, 1968]

ONE HUNDRED MILLION GUNS IN AMERICA

One factor strangely missing from reports on the gun control controversy in Washington is this: To what extent have congressmen been swayed by constituents' demands to be allowed to arm themselves against internal disturbances?

We who have always lived in Hawaii have little idea of the extent of the Mainland practice of "keeping a gun in the house." It may be a pistol, a rifle or a shotgun. Its principal use may be for target shooting or game. But there is usually in the back of the head of the owner the thought that sometime it might be useful in protecting his home and family.

Throughout the country this year there has been a rash of arms-buying. At one time the demand for home-kept weapons had cleaned out stores in California and visitors were buying in Hawaii. A heavy upswing in Ammunition purchases was noted at the same time.

Against the background of talk of insurrection by some black militants, and with a probably much misunderstood concept of the meaning of "black power," thousands of white home owners have armed themselves. It is no secret that black citizens have acquired weapons also.

The Emergency Committee of Gun Control, an organization with headquarters in Washington, D.C., recently stated that there are 100 million guns in private hands in the U.S. and this figure is being added to at the rate of 10,000 daily.

The National Rifle Association to the contrary notwithstanding, obviously not all these owners of weapons acquired them in the interest of sport. These guns, or at least a great many of them, are intended for use against other human beings, when and if.

It thus becomes not too hard to understand why Congress refuses to pass an effective gun control law. The National Rifle Association has taken most of the gaff for obstructing passage of such a law. But it is figures such as these which throw a clearer light on the matter. An election year—or any other year—is a bad time to offend millions of Americans, most of them voters.

[From the Atlanta, (Ga.) Journal Constitution, Sept. 2, 1968]

THE RIGHT TO SHOOT EACH OTHER?

Almost two people of every 100 in this country were victims of serious crimes last year and the number of serious crimes—both violent and nonviolent—increased by 16 percent in 1967 over 1966.

These figures were released this week by the Federal Bureau of Investigation. One of the most disturbing statistics in the report was the increase in homicides by firearms, a 17 per cent increase over 1966.

FBI director J. Edgar Hoover said the rise in violent crimes was consistent in all areas of the country.

Mr. Hoover, understandably, is a strong advocate of effective gun controls, as is practically every other leading law enforcement officer and organization in this country.

They are deeply concerned about the unrestricted traffic and ownership of firearms because, besides the tremendous jump in homicides by firearms, the increase in robberies last year was even greater at 28 per cent. Weapons, mostly firearms, were used in 58 per cent of these crimes.

No reasonable advocate of effective gun controls argues that gun registration and gun-ownership licensing would stop all crimes by firearms. But surely it is reasonable to assume that by making access to guns less easy, especially for persons with criminal records and mental illnesses, the rate of crimes by firearms would be decreased. Certainly making it easier to trace ownership of a gun used in a crime would have a deterrent effect also, at least insofar as it would make it easier for law enforcement officers to solve such crimes.

Yet the National Rifle Association and other "sportsmen's" groups keep prattling about "the right to bear arms" and other such nonsense. The only person who has anything to fear from gun registration and owner licensing is the criminal.

Yet the Legislature of Georgia and the Congress bow to the pressures of the NRA and the "sportsmen." And Americans keep arming themselves and killing, maiming and robbing each other at an awesomely increasing rate.

[From the Macon (Ga.) News, Aug. 1, 1968]

LOCAL GUN LAWS

A four hundred per cent increase in violent deaths in Macon since January, 1967, rightly concerns Mayor Ronnie Thompson. In the hope of cutting down on the tragic toll, the mayor will activate existing city code provisions which require a license to carry a pistol or revolver and that records be kept of all gun purchases. Such laws are on the books but have never been enforced.

In 1966, our city recorded eight deaths by murder or homicide. In 1967, the figure climbed to 34. So far this year, 22 such deaths have been noted.

Police Chief Jim Flynt backs Thompson in the mayor's belief that stricter gun controls will sharply reduce violent deaths. This has long been the contention of this newspaper, and we heartily endorse the view of the mayor and the chief of police that an additional regulation should be adopted to require a three-day waiting period for gun purchases.

An instance cited was a recent murder committed by a man who became involved in a quarrel in a bar here, walked next door and bought a .22-caliber pistol, then returned to the bar and fatally shot the other man.

The mayor says he respects the right of a citizen to own a firearm. But he insists on control of the sale of such weapons in order to keep them out of the wrong hands.

[From the Sandy Springs (Ga.) Enterprise, July 18, 1968]

GUN LAW MERITS MAKERS' SUPPORT—CHEMICAL WEEK

It would be beyond our province to comment on gun control legislation except for the fact that several chemical companies are also makers of ammunition and guns. Moreover, they are members of the National Shooting Sports Foundation, which was set up in '61 to fight gun control legislation.

We are pleased that the major gun manufacturers have modified their position, now lend support to most provisions of the Administration's bill banning interstate mail-order sales of rifles and shotguns. In doing so they part company with the far more rabid and vociferous National Rifle Assn., which remains adamantly opposed to most restrictions on gun and ammunition sales. The deluge of NRA members' mail dissuaded Congress from acting, even after the assassination of President Kennedy. But now, after the assassinations of Dr. Martin Luther King, Jr. and Senator Robert Kennedy, the usually silent 85% of the people who favor gun control are making themselves heard.

The familiar arguments NRA trots out whenever there's a stirring in the legislative underbrush cannot gainsay two hard facts: (1) access to guns is easier in the U.S. than in practically any developed country; (2) the U.S. has far more gun-related crimes and accidents in proportion to population than any developed country. Surely the two are not unrelated. Moreover, no proposed legislation—even registration of all guns and owners—would curtail legitimate use of guns in hunting and other sports. And while laws cannot work miracles, they can make it much harder for convicted felons and known psychopaths to pursue their murderous ways.

Last week the mouth-filling Emergency Committee for Gun Control of the National Council for a Responsible Firearms Policy was organized to support legislation. It has the backing of 39 national organizations, comprising lawyers, police chiefs, district attorneys, unions, churches, businessmen, bankers and others. Regrettably, the National Shooting Sports Foundation is not among the 39.

Do gun and ammunition makers want the public to believe they put profits above protection? We don't think so. Unless they can persuade the foundation to support gun control in the public interest, they should disavow it.

[From the Lakeland (Fla.) Ledger, Aug 15, 1968]

LIVES HANG IN BALANCE

A room at Lakeland General Hospital. Doctors at hand, constantly on the alert. Nurses checking oxygen valves, pulses, blood pressures, temperatures.

All while life hangs in the balance.

In Lakeland General lies Detective B. W. Wilson of the Lakeland Police Department while his family waits and prays.

And every minute, while he fights for complete recovery, someone, somewhere in the U.S.A., is walking into a sporting goods store or hardware store and picking up a handgun, just like the one that stopped Wilson in his pursuit of duty.

A white-clad nurse comes in and checks Wilson's pulse and blood pressure, and smiles back at the grateful smile in his eyes.

Even as Wilson smiles, another of our 54 American killers a day fires another .22 or .38 slug into another police officer or civilian and runs for a car or the bushes. Our armed camp of 100,000,000 unregistered, unlicensed guns takes another toll.

Quietly, a team of doctors hovered over Wilson, after his second operation to stop internal bleeding from the bullet wound in his liver.

And every hour they struggled for Wilson's life, two more Americans died from gunshot wounds.

Last year, over 20,000 Americans, a record high, succumbed to violence with guns while Congress debated the need for gun control.

Wilson is alive. He's out of the intensive care unit, but, still far from full recovery. His family files in to say "hello."

Meanwhile, U.S. gun manufacturers continue to mass produce handguns and rifles and shotguns at the rate of 2,000,000 per year. And importers bring in another million to sell like cameras over the counter.

And Congress, swayed by powerful lobbies, passes half-way measures to restrict mail order sales.

Wilson fights on. He's alive after facing the hidden gun of a hoodlum.

Not so with 1,087 other Floridians last year, many from "peaceful" Polk County. They died, like 750,000 Americans have died since 1900 . . . by gunshot wounds.

Ironically, more U.S. citizens have died from gunshot wounds at home than the 627,-000 Americans killed in all our wars.

Tragically, our Congress and state legislatures have vacillated on real gun control measures, like registration and licensing. When Wilson recovers, perhaps we should send him, and others like him, to Congress. Maybe then all our lives wouldn't hang in the balance.

[From the Daytona Beach (Fla.) Journal-Sun News, August 17, 1968]

"RESTORE" LAW, ORDER?

A child was murdered in Fort Lauderdale the other day because an obviously irrational man had obtained access to a gun. He called police to say he had killed two others and planned to kill more. He pleaded with the police to stop him, but he wouldn't say where he was.

So gun committed violence goes on while Congress is in recess, probably listening to constituents doing a lot of talking about "law and order."

Well, let's do talk about law and order for a bit.

British style law and order.

In London—a city of eight million people—there have been fewer murders in the last 20 years than there were in New York City in 1967 alone.

This nation's urban crime rate is climbing at the rate of 17 percent a year. Crimes in all of Great Britain are 30 percent lower than our national rate. In London the rate actually dropped 3 percent last year over the year before.

Why such a difference?

We know from experience that guns count in the mounting crime rate in the U.S. There were more than 110,000 gun crimes, from armed robbery to murder, in the U.S. in 1966. The number was more than 133,000 in 1967.

Here, in our hodgepodge system, 21 states do not require a license to carry a handgun; 25 states require no license to sell guns and 31 states have no prohibition against carrying a concealed weapon.

In Great Britain there were 30 gun murders in 1966 as compared to our 6,552 that year.

Great Britain has a national law, very strict, on the selling and acquiring of guns.

Great Britain leads the way in another respect, too.

Its policemen do not carry guns. Scotland Yard believes that carrying and using weapons has the effect of stirring resentment in communities—a belief that has been pretty well proved in the ghettos in this country. Of course, a policy like this depends upon a rigidly enforced gun control law.

Scotland Yard also believes in establishing good rapport between its "bobbies" and the public. Their uniforms depersonalize the wearers and invoke respect for their profession. They pound the beat in London, mingling with the people, while here the trend has been for police to prowl the communities in cars, silently looking for suspicious looking persons.

Says a criminologist at the London School of Economics: "British police have a knack for becoming part of the crowd and working with it rather than against it to prevent violence."

Here, the president of New York's Patrolmen's Benevolent Assn. told the group's 29,000 members this week to begin getting really tough with youths who engage in protest demonstrations—thereby greatly endangering the efforts at gaining new respect for authority that Mayor John Lindsay and Police Commissioner Howard Leary had been making.

Let's continue with looking at law and order and take a took at police stations and the courts.

Across the U.S., these cogs in the system of law and order are mostly dreary places. A chief of the Institute of Criminology at Britain's Cambridge University visits in this country often and has seen police stations and courtrooms. He recently commented: "You would at least expect the floor to be as clean as Fifth Ave."

London's Old Bailey courthouse always is spotless and polished. Its marble halls glisten; its richly grained wood gleams. Inside, robed and bewigged Judges and barristers evoke a sense of awe. Rigidly, these servants of justice guard the rights of all accused.

Do you ever hear of a British Judge involved in a scandal?

Here, not long ago, a California Judge was hearing and deciding cases while he himself was under indictment.

The theme of politics this year is going to be loud on the theme of "law and order," demanding that it be "restored."

The fact of the matter really is that it has been decaying for a long time because we have been going at it the wrong way.

[From the Cocoa (Fla.) Today, Aug. 14, 1968]

SCRATCH 1,087 FLORIDIANS

A great tide of statistics has swept across this desk in the past month, "facts and figures" used to bolster the case against gun controls.

Because we are in favor of a strict gun control law, we'd like a moment for rebuttal.

Firearms took the lives of 1,087 Floridians last year—double the number of a decade ago.

The increase during the 10-year period ran far ahead of the state's population growth.

The rate for homicides by firearms for each 100,000 population rose from 5.4 in 1957 to 8.6 in 1967.

The national rate, 3.3 has been virtually steady since 1950.

There has been a constant rise in the state however, year by year, of deaths involving firearms.

A comparison over the decade looks like this:

Deaths:	1957	1967
Homicides	168	525
Suicides	231	446
Accidents	37	116

If the case for or against gun control is going to be argued statistically, we thought you'd like to see both sides.

[From the Gainesville (Fla.) Sun, Aug. 14, 1968]

TAKE A CHANCE

(Reprinted from the Washington Post)

Your chance of being shot to death is just about 55 times as great if you live in the United States as it is if you live in Great Britain. Just savor that statistic for a moment. Savor it and ask yourself if you consider it really worthwhile to run that risk for the sake of keeping the National Rifle Association's magazine fat with mail order gun advertisements or for the sake of sparing "sportsmen" the inconvenience of having to buy their guns from licensed dealers in the states where they reside.

[From the Wilmington (Del.) Journal July 23, 1968]

GUNS MUST BE REGISTERED

In the House of Representatives the stage for an imminent vote for new gun control was set on Friday with defeat of the amendment for registration of firearms. That defeat was the price accepted by floor leaders for House approval of a ban on mail-order sales of shotguns, rifles, and ammunition to supplement the prior-enacted mail ban on handguns. Senate endorsement is expected.

The further control now in sight, however, is not enough by a long shot. For example, Sears Roebuck's voluntary policy not to sell any more guns by mail is welcome, but anyone over 21 can walk into a Sears store and buy a shotgun or rifle by showing a driver's license or other proof of identity. The record shows that states with gun laws of some strength have far lower gun-murder rates than do states with weak or minimal laws.

FBI Director J. Edgar Hoover has observed that "the easy accessibility of firearms is responsible for many killings, both impulse and premeditated."

Sen. Williams of Delaware (a veteran duck hunter) would also add registration to a ban on guns-by-mail. He is for strong gun law "not as cure-all" for gun murders but as a means of making gun possession more difficult for persons unfit to have one.

Sen. Tydings of Maryland (who says he has enjoyed hunting with guns since he was nine) declares that "96 out of every 100 policemen murdered in the U.S. are shot by gun-toting lawbreakers." We agree with him that "our incredibly lax gun laws are a scandal in the civilized world." As long as Congress puts off enactment of a registration law, it has not done enough to control guns.

[From the Westport (Conn.) Town Crier, July 11, 1968]

WHY NOT GUN CONTROL NOW?

(By Luis J. A. Villalon)

We had occasion the other day to read one of the Christian Science Monitor's concise and well-edited debates in print, this one on the subject of proposed gun legislation. The "pro" side was upheld by Senator Joseph Tydings of Maryland, who has not only sup-

ported stricter gun regulation but has also introduced a bill that will require Federal registration and licensing of all firearms. The "con" position was taken by Harold W. Glassen, president of the National Rifle Association of America, a million-member organization that has consistently opposed restrictive gun legislation.

What particularly impressed us, after reading the two arguments, was what a slim case the N.R.A. could make against the registration and licensing of guns.

Their president made the legitimate point that such registration and licensing would not, in itself, keep guns out of the hands of criminals. He argued that, instead of new legislation, we needed better enforcement of current laws and more stringent penalties for those using guns for improper purposes. He pointed out that a relatively small percentage of major crimes involved guns, which is true when a number of widespread types like auto theft are added in. Less convincingly, the NRA argues that gun control is the business of the State and not of the Nation.

But what really convinced us was the fact that not one single reason was advanced as to what harm licensing and registration would do to the legitimate gun-owner. All Mr. Glassen could do was to throw doubt on the effectiveness; it was entirely unclear why his organization objects so strenuously. Certainly, the minor nuisance of filling out one more form and paying a small fee can't be reason enough to oppose the legislation, if there's any possible good to be derived.

Senator Tydings may well be overstating his case, but there are some frightening figures. Last year, 7,700 Americans were murdered by guns; 96% of all police officers murdered since 1960 were killed by guns; the use of guns as instruments of violence has almost doubled since 1964. And, despite stringent penalties for gun crimes, they continue to mount.

The Senator points out that, while States that have effective gun laws are running below the national average in increase in gun crimes, this is an area where national legislation is obviously needed. As long as people who would be denied a gun in a given State, or do not wish to register it, can simply order by mail or trot across the State line, State legislation cannot be very effective.

Senator Tydings expresses the purpose of his bill in a single paragraph:

"This nationwide gun-registration and licensing law, I have proposed would not prevent the purchase of firearms by any law-abiding citizens—including hunters, sportsmen, collectors, homeowners, shopkeepers, and their families. Nor would it disarm or significantly inconvenience them. It would inconvenience criminals, drug addicts, alcoholics, mental incompetents, aliens, and juveniles."

We believe that there is a valid question as to the effectiveness of registration-licensing legislation. But it stands to reason that the fewer guns which are running around loose, the fewer will find their way into irresponsible hands. Such legislation should also help to keep guns out of the hands of juveniles and to prevent the numerous gun accidents that take a toll comparable to the criminal misuse of guns. On the other side of the coin, we cannot for the life of us see, nor apparently can even the president of the N.R.A., what harm such legislation would do.

Under these circumstances, the scales are heavily balanced in favor of taking positive action now.

[From the Bridgeport (Conn.) Telegram July 25, 1968]

Washington's Law on Guns

It would be useful for every city to adopt a gun control ordinance patterned after one just adopted by the District of Columbia. It recognizes such facts as firearms are no longer necessary to provide food for a family, to ward off hostile savages or to serve as a militiaman in defense of his community.

At the same time, it recognizes that some men like to keep firearms with which to go hunting, or shoot targets, or to protect their families. These are all privileges which honest, law-abiding responsible people can and should be free to enjoy.

The ordinance is not aimed at depriving such people of their weapons. It is aimed at the person who is not honest and law-abiding but wants a weapon for robbery, or to revenge himself for fancied wrongs, or to end his own or the lives of others.

The Washington City Council unanimously approved an ordinance making this distinction between persons who keep guns. To make it effective, the ordinance requires that every gun in Washington be registered, that persons be required to take out licenses to make sure they are qualified to have guns, and that they would use them responsibly.

Here are the proper criteria for owning and keeping firearms. An ordinance of this kind would not eliminate crime, but it should reduce it gradually as registered and licensed guns are brought under control.

[From the Denver (Colo.) Post., Aug. 27, 1968]

The Gun as a Stimulus

Support for legislation to provide greater controls on guns has appeared from an unexpected quarter—Dr. Leonard Berkowitz, chairman of the psychology department at the University of Wisconsin.

Writing in the magazine, Psychology Today, Dr. Berkowitz gives impressive support for the theory that the handling of guns, as in play, or even the sight of guns serves as a stimulus to bring out aggressive impulse in persons of various ages.

In one set of experiments described by Dr. Berkowitz, students who had been humiliated and made angry with electric shocks were casually exposed to the sight of guns.

Their reactions were more aggressive than those of students who had been similarly treated but had not seen guns. And in another experiment with young children, none of whom had been made angry, those who had been playing with guns exhibited aggressive tendencies which were less in evidence among the children who were not exposed to the guns.

Guns, in Dr. Berkowitz' opinion, act as a cue to violence, particularly if the person having access to the gun is angry, as from frustration, and has a low level of inhibition against aggressive action.

Frustrations are widespread in our society today as a result of what the author describes as the "revolution of rising expectations" which have not been gratified.

Inhibitions against the use of violence, he says, vary widely from time to time in any individual, depending on how much he may feel at any moment that violence is justified by the circumstances in which he finds himself.

Dr. Berkowitz is particularly critical of the theory that violence experienced vicariously, as on a TV or movie screen, acts as a cathartic by draining the viewer's reservoir of accumulated hostility and tension which, if unrelieved, might explode into violent behavior.

Experiments have shown, he says, that in many instances vicarious experiences with violence may actually encourage, rather than inhibit, hostile reactions.

"A society that wants fewer violent outbursts should reduce frustration, leave inhibitions intact and remove immediate cues that can set off aggressive acts," he says.

Reducing the frustrations of social groups is a long-term project not to be quickly accomplished. Fewer books and movies which stress violence would help preserve inhibitions against aggression.

As for cues which may trigger violence, "one of the largest," he writes, "bears the label 'guns.' Guns not only permit violence, they can stimulate it as well."

Dr. Berkowitz' approach to the problem of guns and violence is purely scientific, of course. Lawmakers and scientists do not always have too much in common.

However, in our complex world, lawmaking is an art which will succeed only if it draws on all sources of knowledge. If Congress is serious about crime and violence, it must not ignore what psychology has discovered about human behavior.

[From the Greeley (Colo.) Tribune and Republican, July 15, 1968]

Gun Control Compromise

The old saying that half a loaf is better than none applies to the present situation in Congress with regard to gun control legislation. Firearms registration is needed, as the testimony of Attorney General Clark has so strongly emphasized, to impose sensible restraint on criminal use of guns. But under the circumstances the move to bypass registration for the time being to assure extension of the mail order sales ban to long guns and ammunition is a reasonable compromise.

Such legislation would, at any rate, be a signal improvement over the recently enacted measure which places only hand guns under such controls. Passage of that provision as part of the omnibus anti-crime bill clearly left a vital gap in federal gun control law. This gap would be filled by adding rifles and shotguns to the catalogue of lethal weapons over whose possession some reasonable police control could be exercised.

This is not to say that passage of this measure ought to end the matter. Until some form of registrtaion and licensing of gun ownership is enacted into law, restrictions on criminal use of firearms are bound to be ineffective.

Many emotional arguments have been offered against gun control in general, and against registration and licensing in particular. The National Rifle Association has mounted a tremendous letter-writing campaign among its members in opposition to this. Much of this flood of mail to Congress and to newspapers implies or says outright that there is an effort to "disarm" the American people; there are many variations on the theme—but variations most often couched in strikingly similar language—that gun controls violate the constitutional right to bear arms. Other arguments, no less vulnerable to dispassionate analysis, are offered against gun control, as if this were the work of the devil.

Unwarranted fears and simple misunderstanding underlie this position. The Second Amendment right to bear arms is not absolute; it is conditioned on the need to maintain "a well regulated militia," and this has long since been superseded by the nation's established armed forces.

There is no move afoot to "disarm" the American people; even under the most extreme registration and licensing proposals seriously advanced, there would be no hindrance to possession of firearms by good citizens. The worst that can be said is that sportsmen would be put to a certain modest inconvenience. That would be a small price indeed to pay, individually and collectively, for reasonable attempts to keep guns out of the hands of criminals, psychotics and juveniles.

[From the Grand Junction (Colo.) Sentinel, July 12, 1968]

Gun Statistics

Statistics are never exciting reading material, but there are some which we believe are worth contemplating. Quoted below are some facts and figures pertinent to the current battle for and against gun control laws.

Nearly 800,000 Americans since 1900 have been killed by means of firearms, aside from death in military service. Fewer than 600,000 Americans have been killed in all our wars from the Revolution to date.

Guns claim on the average of 50 lives a day—one every half hour.

Gun murders during the 1963–1966 period were 55 to 60 per cent of all murders. About 70 per cent of gun murders were committed with handguns; 30 per cent with rifles and shotguns.

There were 6,500 gun murders in 1966; 5,634 in 1965; 5,090 in 1964 and 4,760 in 1963.

Do gun control laws affect the figures on murders with guns? Well, in states with relatively strict gun controls, the percentage of gun murders from 1962 to 1965 looked like this: Massachusetts, 35 per cent; New Jersey, 39 per cent; New York, 32 per cent, Pennsylvania, 43 per cent.

By contrast, some of the areas with minimal gun controls showed these figures: Arizona, 66 per cent; Colorado, 59 per cent; Louisiana, 62 per cent; Montana, 68 per cent; Nebraska, 70 per cent; New Mexico, 64 per cent and Texas, 69 per cent.

If this isn't enough, how about the figures on police officers killed by guns in line of duty? During the 1960 to 1966 period, 322 of the 335 officers killed in line of duty were killed by guns.

Serious assaults with firearms totaled 43,500 in 1966; 34,700 in 1965 and 27,700 in 1964.

True, the rate of crime increased, too. But if there is any question about the effect of gun control laws on use of guns, just go back to those figures on states with controls.

Draw your own conclusions.

[From the Garden Grove (Calif.) Orange County News, July 31, 1968]

THE PLAGUE OF GUNS

In the wave of emotion that followed the assassination of Robert F. Kennedy in June, many Americans hoped that this nation might finally give up the dubious distinction of being perhaps the most lawless nation in the world.

That hope is fast fading, according to a very perceptive survey by Reader's Digest. These are some of the findings:

"Congress passed a loose measure restricting sales of revolvers and pistols. Despite the new law, 'virtually anyone old enough to walk into a sporting-goods store and peer across the counter will be able to buy some sort of gun, with no questions asked.'

"Therefore, a review of statistics that result from this ease of buying guns may be in order.

"Since 1960 the nation's crime rate has increased 48 per cent, five times faster than population. In 1966 a total of 10,920 murders were committed in the United States, more than one in every hour of the day. Our murder rate is four times that of Japan, seven times that of France, eight times greater than England and Wales. Of the U.S. murder victims, 60 per cent were killed by guns.

"Since the turn of the century, guns have brought death to 750,000 Americans—more than the 627,000 killed in all our wars!

"Against this dismal record, a small but vocal minority group continues to argue that gun registration would deprive the American sportsman of his right to go hunting or target shooting."

Perhaps the best answer is to look at a country like Great Britain, which requires a certificate from the local police before you can buy or own a gun. Still, Britain has 4,900 shooting clubs, where valid sportsmen can use shotguns and air guns freely.

If Congress eventually gets around to pass another gun control law, it might start with the three steps outlined in 1964 by U.S. Courts of Appeals Judge George Edwards of Detroit:

1. Require permits for anyone who wishes to buy or own a gun.

2. Provide for registration of all guns, while assuring the right of all law-abiding persons to own rifles or shotguns.

3. Ban interstate mail-order sale or delivery of firearms of any kind, regardless of the situation involved.

[From the Pomona (Calif.) Progress-Bulletin, Aug. 2, 1968]

WHAT FUNCTION HAS A PISTOL

Can we talk about guns without emotion? As though we neither hated them nor loved them but were just evaluating them? Let's try.

What we really want to talk about is the smallest member of the family: the pistol. A well-made automatic or revolver is a beautiful little machine. Its works are as precise and smoothly operating as those of a clock. It has the grace of pure utility: small enough to hold in one hand, strong enough to withstand easily an explosion that can fire a slug through a thick board. It's an efficient little missile launcher that gives a feeling of heady power to any man.

Why should anyone own one? It's a terrible hunting piece. Its accuracy falls off so rapidly that at only a few yards it's no match for a rifle. How about protecting the home from burglars? Many police experts will advise against getting in a shooting match with a nut who thinks he's entered an empty house, but if you really want a formidable edge on him use a shotgun. Nobody argues with a shotgun at short range.

A pistol has only one function: to kill people. Ignore for the moment target shooting—that's only practicing for the real function. Most of us who own pistols aren't going to carry out their purpose, but that doesn't change it. A pistol is a short-range weapon that can be easily carried and even hidden but which provides the ultimate in defense or offense: death.

What if pistols were denied everyone except those persons charged by law with defending the rest of us? Would you really be any more at the mercy of an armed criminal than you already are? Unless you are quite unusual, you don't have your pistol with you when the mugger assaults you anyway. In the house at night you can have a far more effective rifle or shotgun handy if you're jumpy.

Would such a denial stop assassinations, murders, suicides, stickups? Of course not. Three of the four assassinations that started all the discussion were done with rifles. And millions of the pistols now afloat would contined to circulate in the wrong hands. But suppose some system of phasing out private ownership of pistols were established: say a five-year period during which owners would be paid a fair price of each weapon turned in, after which possession would be illegal.

Not much change would take place immediately in the frequency of armed crimes. There might, however, be a dramatic reduction in the number of accidents such as the ones in which children are shot playing with those deadly, compelling little machines. There might even be a considerable drop in the kind of passion murder that takes place only because a quick, easy killer is available during the moment of white heat.

And some day—maybe in 50 years, maybe in 100—it might come to be almost obscene to own a pistol as it is today in England and many other countries. In such a time the 1968 statistics of armed crime would be so shocking as to seem almost unbelievable. So we might be doing for generations ahead a service we can't do for ourselves.

And we could still go hunting with the boys and still guarantee as well as we ever could the security of our homes.

[From the Hayward (Calif.) Review, July 3, 1968]

AVOID PITFALLS IN GUN CONTROL

A vast majority of the American public clearly favors tighter gun control measures, and the movement, unmistakably, is in that direction. If not this year or next, mail order purchases of all guns ultimately will be sharply limited and more carefully regulated. Widespread registration of firearms and licensing of gun owners also appear in the offing.

In this light, it is imperative that legislators and gun control proponents take a thorough, thoughtful and unemotional overview of the iissue. Certainly there is no evidence to suggest that the general public favors massive confiscation of guns or undue harassment of hunters and bona fide gun collectors.

What the public does favor is legislation that will make it difficult—though obviously not impossible—for firearms to fall into the hands of felons, narcotics addicts, the mentally ill and persons convicted of a misdemeanor involving force, violence or use of a firearm. To this list might be added, as suggested by Assemblyman W. Craig Biddle of Riverside, negligent hunters.

It is the areas of registration and licensing that the greatest difficulties present themselves. Unless great care is taken in drafting such legislation, the qualified hunter, bona fide gun collector and competent individual may justifiably oppose such measures. Annual registration and licensing could prove unpalatable, complicated and confusing. Fees could be set unreasonably high, and improperly severe punishments for failure to register guns or acquire a license could result in widespread disregard of such laws.

There is good reason to doubt the general benefits of local or even state legislation in these areas. Our society is highly mobile. There is nothing to prevent the felon, negligent hunter, addict or mentally incompetent to obtain a gun in a city or state where regulations are lax or non-existent. There also is the likelihood of confusions or lack of knowledge of firearms control laws of a local or state nature on the part of law-abiding citizens who move from city to city or state to state.

City and State gun controls are not totally ineffective, but they are less effective than national law would be. New York's strong Sullivan Act is weakened, for example, by the easy availability of guns in adjacent states which are only minutes away by modern transportation.

The overriding fact, of course, is that firearms are lethal weapons, they can and do kill, as often in an accident as in an intended crime, more often by a generally law-abiding citizen than by a hardened felon. The report that 5,600 Americans were the victims of firearms in 1967 and the disclosure of a survey showing that 189 persons died from gunshot wounds in a single week last month should impress upon us—as powerfully as the heinous series of assassinations that have shocked this country in recent years—that more thoughtful regulation of guns is long overdue.

[From the Texarkana (Ark.) Gazette, July 24, 1968]

UNJUSTIFIED PRIVILEGES

The potency of the National Rifle Association as lobbyist and organizer of letter-writing campaigns is well known. The current drive to avert passage of firm gun control legislation, despite popular sentiment, is a new indication of NRA power.

Some may be puzzled as to why the organization is able to marshal such an out-

pouring of support. There are numerous reasons. One occasionally forgotten is that the federal government, acting out of considerations that make less and less sense as our society matures, confers numerous special privileges on the NRA.

One of these special privileges is that NRA members, unlike other citizens, can buy surplus Army carbines—or any other gun, for that matter.

The columnists Rowland Evans and Robert Novak disclosed some interesting information on this point the other day. Last summer, they say, the Internal Revenue Service found that 41 NRA members who tried to buy surplus carbines had criminal records: as a result, the sales did not go through. Twenty-six other NRA members also were thwarted in buying carbines during the same four-month period, it is reported—some because police departments objected, some for membership in extremist groups, some for other reasons.

This is not a blanket condemnation of the NRA or its members. The point made is that NRA brings special privileges that lead to abuses, and that this no longer can be justified. If this special treatment were rescinded, the NRA might not be quite as successful at stalling gun control law in the face of popular demand.

[From the Florence (Ala.) Times-Tri-Cities, July 30, 1968]

BLOOD FLOWS FREELY ON AMERICAN SOIL

In the wave of emotion that followed the assassination of Robert F. Kennedy in June, many Americans hoped that this nation might finally give up the dubious distinction of being perhaps the most lawless nation on earth.

That hope is fast fading.

True, Congress did pass a measure restricting sales of revolvers and pistols. But President Johnson called it a "halfway measure." And despite the new law, notes an article in the August Reader's Digest, "virtually anyone old enough to walk into a sporting-goods store and peer across the counter can still buy some sort of gun, with no questions asked. Anyone able to write—a child, ex-convict, drug addict or lunatic—can order some sort of gun by mail and get it."

A recitation of the depressing statistics that result from this ease of buying guns may be in order: since 1960 the nation's crime rate has increased 48 percent, five times faster than population. In 1966 a total of 10,920 murders were committed in the United States, more than one in every hour of every day. Our murder rate is four times that of Japan, seven times that of France and eight times greater than England and Wales. Of the U.S murder victims, 60 percent were killed by guns.

Since the turn of the century, guns have brought death to 750,000 Americans—more than the 627,000 killed in all our wars!

Against this sad record, a small but vocal minority continues to argue that gun registration would deprive the American sportsman of his right to go hunting or target-shooting. But would it? Perhaps the best answer is to look at a country like Great Britain, which requires a certificate from the local police before you can buy or own a gun.

Since few people can give any valid reason for wanting a pistol or revolver, few certificates for them are issued. Still, Britain has 4,900 shooting clubs, where valid sportsmen can use shotguns and air guns freely.

If Congress wants to pass a meaningful law, it might start with the three steps outlined in 1964 by U.S. Court of Appeals Judge George Edwards of Detroit: 1) require permits for anyone who wishes to buy or own a gun; 2) provide for registration of all guns, while assuring the right of all law-abiding persons to own rifles or shotguns; 3) ban interstate mail-order sale or delivery of firearms of any kind.

Until such reasonable limitations are placed on the right to bear arms, the United States will continue to suffer under what author Carl Bakal calls the "strange and peculiarly American plague that has swept our land—a plague of guns."

[From the Florence (Ala.) Times-Tri-Cities, July 25, 1968]

A FACTUAL CASE FOR GUN CONTROLS

If someone really wants to do you in, he will, whether or not he can lay his hands on a gun.

This statement, frequently expressed these days because of the debate over gun control laws, is plausible enough. If someone really wants to do you in, he'll find a way.

A look at actual homicide statistics, however, indicates that a substantial percentage of homicides result from attacks that were not made with the single-minded intent to kill.

Franklin E. Zimring, assistant professor of law at the University of Chicago, studied more than 1,400 homicides and 22,000 assaults recorded during 1965, 1966 and 1967 by the Chicago Police Department. His findings show that:

No less than 78 per cent of all killings, as classified by the police, resulted from quarrels based on domestic problems, liquor, sex, etc.

The gun and the knife were interchangeable weapons for persons who resorted to violence to settle personal arguments.

Some 70 per cent of all gun homicides resulted from a single wound, although a "single-minded intent to kill" should prompt the attacker to insure his result by multiple wounding.

Knife attacks resulted in more multiple woundings than gun attacks, yet there were five times as many killings by gun as by knife.

Zimring thus concludes that the elimination of guns would reduce the number of homicides.

Perhaps we can never solve the problem of interpersonal violence. But perhaps we can make it a little less deadly.

Mr. TYDINGS. Mr. President, I yield the floor.

GUN REGULATION IS A STATE AND LOCAL MATTER

Mr. GRUENING. Mr. President, I have in the past consistently opposed restrictive gun legislation.

I shall continue to oppose such legislation including the bill now before the Senate, S. 3633, as long as I am in the Senate.

One has only to read the provisions set forth in the 62 pages of S. 3633 and the technical explanation of those provisions set forth in the 105-page Senate Report No. 1501 to realize that in attempting a Federal blunderbuss approach at gun regulations which seek to fit all 50 States into one common mold we would be creating an intricate maze of laws and regulations, the effects of which on the lives of the people of the United States no one can foretell.

This is a nation of 50 united, yet individual, States. Each State has unique characteristics and diverse conditions. The situations prevailing in Alaska—with its vast underdeveloped areas—are not the situations to be found in industrialized Connecticut or Rhode Island. Similarly, the situations which exist on the streets of Sitka or Juneau or Fairbanks in Alaska cannot rightly be compared to the situations which exist on the streets of the cities of New York or Chicago or San Francisco.

We, in the United States, are all too prone to treat the symptoms and not the disease.

We know some of the causes of crime, even though we do not know all of them. For example:

We do know that an effective deterrent to crime is a better trained and better paid police force in adequate numbers—but we fail time and again to appropriate sufficient funds for such a force.

We do know that another effective deterrent to crime is speedy detection, trial, and sentencing of evildoers—and yet we constantly seek short cuts to the arduous, time-consuming task of crime detection and we permit criminal court dockets to be so crowded that criminals charged with crimes cannot be brought before the bar of justice but are permitted to roam the streets to continue to harass innocent citizens.

And so it goes through the many known causes of crime and the conditions breeding criminals.

Instead we seek to treat the symptoms, perhaps because it is cheaper than treating the causes.

Thus we read of people being killed by guns and immediately conclude that a national law is needed to limit the right to citizens to bear arms only to those citizens who we believe will not use it to do bodily harm to another citizen.

Gun legislation is a nice, easy target on which to focus citizen protest as a distraction for all citizens to shirk their own responsibilities to take positive action to do something about the root causes of crime.

And, when proponents of restrictive gun legislation propose such restrictions in a Federal law applicable alike to all 50 States, regardless of the variations in the conditions existing in each of the States, then I think the Federal Government is going too far and is attempting to federalize what should be and what was intended to be a system of individual, sovereign States.

But, argue the proponents of restrictive Federal gun legislation, a man must register his car before he can drive it or must obtain a license before he can fish, then why not restrict the ability of a man to own a gun? The difference is in who does the restricting—the Federal or the State Government?

I hold an Alaska license to drive my car—not a Federal license.

When I fish in Alaska waters, I obtain an Alaska fishing permit—not a Federal one.

But, answer the proponents of restrictive gun legislation, why not centralize recordkeeping in the Federal Government and impose uniform restrictions on gun owning?

The answer, of course, is that if the Founding Fathers had intended to establish a single federalized nation they would have written a far different Constitution. They did not. They fought for and sought to preserve the sovereignty of each individual State and they so wrote the Constitution. We should preserve this system. The proposed restrictive gun

legislation would only serve to weaken the sovereignty of each individual State.

Nowhere can the wrongful and injurious effects of a Federal restrictive gun control law, uniformly applicable throughout the land, be illustrated than in Alaska.

We start out with the premise, of course, that there is absolutely no way in which a law—Federal, State, or local—can be devised so as to prevent with certainty guns—or, for that matter, any other potentially lethal weapon—from falling into the hands of individuals determined to use them to kill or main themselves or others or to use them for the commission of crimes.

It is illusory to hold out the hope that gun homicides can be eliminated entirely by the simple passage of a Federal act—and even the most ardent advocates of the strongest possible Federal gun control measure do not put forth such a claim.

It is likewise illusory to hold out the hope that it is possible to devise a Federal gun control law which could in one fell swoop take care of the myriad problems of a land and a people as diverse as the 50 States of this land.

The problems and the circumstances confronting a family living in Downtown Manhattan—minutes away from a separate State—cannot be compared to the problems and circumstances of a family in a small, remote, isolated Alaska village not connected by road with any other village.

Gun control regulation should, in the first instance, be the responsibility of State and local governments.

Unless there are urgent and compelling reasons for doing so—and none have been shown to me—the Federal Government should not preempt the field of gun regulation.

There are, of course, instances where the Federal Government, because of its power to regulate interstate commerce, must take action to prevent regulatory State legislation from being subverted. This the Federal Government has done in many instances, such as transporting stolen automobiles in interstate commerce.

In some instances a stolen motor vehicle in the hands of an inexperienced driver—or a driver seeking to make good his escape—can be just as lethal as a rifle. Yet there is no massive movement for providing Federal registration of automobile drivers, limiting such registration to individuals who meet rigid Federal standards as interpreted by some official in Washington.

But the proponents of gun control legislation seek to go much further. And they have.

In Public Law 90-351, the Safe Streets Act of 1968—the Federal Government goes as far as I think it should properly go with respect to gun legislation. That act seeks to prevent the undermining of State laws through the utilization of interstate commerce. Thus it prohibits the transfer by a resident of one State to a resident of another State of "any firearm which the transferee could not lawfully purchase or possess in accord with applicable laws, regulations, or ordinances of the State or political subdivision thereof in which the transferee resides."

This is a valid exercise of Federal power to buttress the laws of a State.

In the circumstances prevailing in many parts of Alaska, many of the provisions of S. 3633 would cause an unbearable hardship which I am certain its framers never intended.

Thus in many of the remote native villages of Alaska—Indian, Eskimo, and Aleut—the villagers must perforce depend for their subsistence on fish and game. Theirs is not a money economy. When game are running, the family must all participate in "gathering" food for the table. All those able to hunt must and do help. This is and has been their way of life since time immemorial. It is an operation akin to that carried out on a family farm when the crop is ripe. To say that only those over a certain age can participate in hunting would be to deny many a native family of its very sustenance.

Even the younger members of the family, if able, must participate to fill the family larder. Thus, during World War II, while, as Governor of the Territory of Alaska, I was organizing the Alaska Territorial Guard, I was in a village where I saw one boy of about 11, out hunting alone, shoot down several ptarmigan with a .22-caliber rifle, rather than buckshot, which is good shooting at any age. Several Eskimo boys, 14 or under, enrolled in this wartime organization and they served well.

Perhaps it may be contended that the solution to this problem is easy. Have the father buy the gun and give it to his son.

There are two objections to this seemingly simple solution.

In the first place, why the prohibition if it can be circumvented so easily? During prohibition this country had its fill of scofflaws. Let us not see a repetition.

In the second place, some of the young men going on these hunts in the remote villages, are heads of families—either through the deaths of their fathers or because they are starting their own families. How are they to obtain the guns they need to procure food for themselves and their dependents without breaking the law?

Another example of how a blunderbuss approach to gun control legislation by Federal law can wreak chaos because it cannot adequately cover the many specific situations in every part of the country:

Alaska is the "flyingest" State in the Union. Its residents have to fly because Alaska lacks roads, having been excluded from the Federal highway aid program for so many years. Under Federal Aviation Administration regulations a private pilot's license can be obtained at the age of 16. However, because of the danger inherent in a forced landing on some of the rough terrain in Alaska inhabited by predatory wildlife, Alaska law provides—Alaska Statutes, section 02.35.12:

No airman can make a flight inside the State unless emergency equipment is carried as follows . . . (D) one pistol, revolver, shotgun or rifle, and ammunition for same.

The 16-year-old airman intending to take a flight in the State of Alaska thus faces a choice: he can disobey the State law and having been forced down somewhere in the "bush," take a chance of being mauled or killed by a bear, or of starving far in the Alaskan wilderness if he is forced down, he can disobey the Federal law and follow the State statute enacted for his own safety. Why should the Federal Government force this choice upon him and to what end?

Another oversight in passing hasty, ill-conceived gun control legislation is that it affects the very safety of many of the residents of Alaska.

The forests just outside many Alaska cities have wild predatory animals in them, such as bears and wolves. It is advisable in going into these woods for a stroll or a picnic to take along a gun. Indeed it is inadvisable not to do so. What is the 15-year-old boy to do when he wants to picinc in the woods—ask his father to go along with him or, if he has one, his older brother or sister who is over 18 or 21?

The bill is absolute in its prohibition of the sale of a handgun—and longguns if so extended—to a person who has been convicted of a felony. There are no ands, ifs, or buts about this prohibition. No exceptions are made. No period is specified after which an individual can be considered rehabilitated. No attempt is made to differentiate the types of felonies except those felonies relating to business crimes.

What is the head of a native family to do who must shoot to provide the only food he and his family will have, but is denied a gun because 15 or 20 years before, as a young man, he had been convicted of stealing $101, which under Alaska law is a felony?

Suppose the same man wants to take a stroll in the woods outside his Alaska community on a Sunday afternoon. The bill would send him on that stroll without giving him a gun to protect himself and his family if charged by a grizzly, brown, or black bear.

What purpose is served by making him take such risks? Are the people walking the streets of Manhattan made any safer because a thoughtless Federal legal provision has endangered the life of a man in Juneau, Anchorage, or Fairbanks, or has made a native in a remote village of Alaska unable to feed himself and his family?

It is indeed ironic that much of recent furor for strong Federal gun control legislation erupted after the tragic killing of Senator Robert F. Kennedy. I say ironic because the gun used by the slayer of Senator Kennedy was purchased from a dealer in California and never left the State of California. California has one of the strongest gun control laws in the Nation.

Thus, as reported by the Washington Post on June 6, 1968:

The gun used to wound Sen. Robert F. Kennedy and five other persons was originally purchased for home protection during the Watts riot in August, 1965, it was disclosed today.

The history of the 22-caliber, 8-shot pistol manufactured by Iver Johnson's Arms and Cycle Works in Fitchburg, Miss., (sic) includes at least four persons.

It was bought at a sporting goods store during the riot by Albert L. Hertz, 72, of Alhambra, a Los Angeles suburb. He gave it to his daughter, Mrs. Robert F. Westlake of Woodacre, in Marin County in northern California.

Mrs. Westlake told investigators she gave it to a family friend, George C. Erhard, 18 of Pasadena, last November or December.

Erhard sold the gun to Joe, "a bushy-haired Pasadena man," who police identified as one of the brothers of Sirhan B. Sirhan, suspected of wounding Sen. Kennedy and the others.

Obviously, the most stringent legislation proposed could not, had it been enacted, prevented the murder of Robert Kennedy.

Recently a constituent called my attention to a very significant and ironic decision by the Supreme Court bearing on this matter. The Court held that a felon barred by statute from owning a gun could not be prosecuted for failure to register the gun, since to rule otherwise would violate his constitutional right against self-incrimination. Thus a gun registration statute is applicable to the law-abiding and permits felons to flaunt it at will.

As I have said, in my opinion, the initial responsibility for the enactment of effective gun control legislation should rest on State and local governments in the first instance, buttressed by the power of the Federal Government to assure that State laws are not subverted because the writ of a State does not run beyond its borders.

ANYONE CAN JOIN

Mr. DODD. Mr. President, I would like to call the attention of my colleagues to the slipshod policies followed by the National Rifle Association in its current drive for 2 million members. This is not an isolated case, I am sure.

Just last summer, early in August, a Dayton, Ohio, newspaperman, Richard Zimmerman, joined the NRA using the name of "Cleo Vernon Keaton."

The catch is that Mr. Keaton is widely known in the Dayton area, having been convicted of one murder and under indictment for three others.

He is a notorious person. Yet this organization accepted his application. That is something to consider as we debate the need for stronger firearms controls, and as we weigh the pleadings of the National Rifle Association.

They have even had Minutemen in their midst. They say now they are more careful. Mr. President, that is typical of them. They are never careful about anything until they are caught at it.

I hope my fellow Senators will weigh this matter carefully. I ask unanimous consent to have printed in the RECORD an article entitled "Newsman Joins Rifle Group Using Doomed Killer's Name," written by Abe S. Zaidan, and published in the Washington Post of August 10, 1967.

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

NEWSMAN JOINS RIFLE GROUP USING DOOMED KILLER'S NAME

(By Abe S. Zaidan)

COLUMBUS, OHIO, August 9.—A Dayton newspaperman says he became a member of the National Rifle Association while using the name of a convicted killer now awaiting execution in the Ohio Penitentiary.

Richard Zimmerman has written in the current issue of the Dayton Journal Herald that he obtained membership in the NRA as "Cleo Vernon Keaton." Keaton is a Dayton man who has been convicted of one murder and is under indictment for three others.

Zimmerman claimed he used the ruse to gain membership "not simply to embarrass a national organization which offers many legitimate services to sportsmen. But when lobbying at both the state and national levels against stronger firearms control laws, NRA members like to leave the impression that there is something special about being an NRA member."

At the same time, Zimmerman said he wanted to find out whether the NRA "makes more of an effort to check out applicants than do firearms sellers in checking out gun buyers." He added that he also was interested in whether the NRA's requirements for endorsements of the applicant from an NRA member, public official or commissioned officer "involved even a cursory check."

"I got my answer early this month," Zimmerman wrote. "Anyone with $5 who is willing to tell two non-litigable fibs can join the NRA, and then buy handguns from mail order suppliers and be eligible to purchase Government surplus ordnance."

Zimmerman said he used his newspaper's post office box number during his correspondence with the NRA so that any reference checks on his application would have been in the Dayton area, where Keaton is well known.

The NRA's only apparent attempt to qualify the application was an endorsement blank the NRA sent to "Keaton." Zimmerman said he signed the blank with his own name and address, checked the "public official," box and returned it to the NRA.

Shortly thereafter, his membership card arrived.

ADJOURNMENT

Mr. DODD. Mr. President, I do not believe there are any other Senators who wish to be heard at this time. Therefore, I move, in accordance with the previous order, that the Senate adjourn until 12 noon on Monday next.

The motion was agreed to; and (at 2 o'clock and 45 minutes p.m.) the Senate adjourned until Monday, September 16, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate September 13, 1968:

UNITED NATIONS

The following-named persons to be representatives of the United States of America to the 15th session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization:

William Benton, of Connecticut.
Alvin Christian Eurich, of Colorado.
Katie Scofield Louchheim, of the District of Columbia.
James H. McCrocklin, of Texas.
Frederick Seitz, of Illinois.

The following-named persons to be alternate representatives of the United States of America to the 15th session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization:

Robert H. B. Wade, of Maryland.
Marietta Moody Brooks, of Texas.
Elizabeth Ann Brown, of Oregon.
Morton Keller, of Massachusetts.
George E. Taylor, of Washington.

INTERNATIONAL ATOMIC ENERGY AGENCY

Glenn T. Seaborg, of California, to be the representative of the United States of America to the 12th session of the General Conference of the International Atomic Energy Agency.

The following-named persons to be alternate representatives of the United States of America to the 12th session of the General Conference of the International Atomic Energy Agency:

Wilfred E. Johnson, of Washington.
Verne B. Lewis, of Maryland.
Henry DeWolf Smyth, of New Jersey.
Gerald F. Tape, of Maryland.
James T. Ramey, of Illinois.
Herbert Scoville, Jr., of Connecticut.

DISTRICT OF COLUMBIA COUNCIL

Philip J. Daugherty, of the District of Columbia, to be a member of the District of Columbia Council for the remainder of the term expiring February 1, 1971, vice J. C. Turner.

POSTMASTERS

CALIFORNIA

C. Lowell Coomes, Beaumont, Calif., in place of P. J. Lay, deceased.

Emma Spector, Cabazon, Calif., in place of M. E. Aten, deceased.

CONNECTICUT

Donald I. Harding, East Woodstock, Conn., in place of W. R. Bosworth, retired.

FLORIDA

Marie F. Springer, Port Richey, Fla., in place of A. E. Hoyt, retired.

GEORGIA

Ida C. Bankston, Flovilla, Ga., in place of E. A. Funderburk, retired.

ILLINOIS

Eunice M. Pohlman, Grafton, Ill., in place of E. A. Mosby, deceased.

Albert E. Vasilauskis, Oak Forest, Ill., in place of M. E. Ramsey, retired.

Christian Oelberg, Wataga, Ill., in place of F. E. O'Connor, retired.

INDIANA

Hilbert S. Graman, Saint Meinrad, Ind., in place of V. J. Hubers, deceased.

IOWA

Donald D. Van Ahn, Lake City, Iowa, in place of A. M. Lundberg, deceased.

KANSAS

Mary E. Fleischer, Hoyt, Kans., in place of Lauren Holt, retired.

Richard R. Tyrell, Osawatomie, Kans., in place of J. L. Johnson, retired.

KENTUCKY

J. Paul Barnes, Paducah, Ky., in place of T. A. Miller, retired.

LOUISIANA

Lucy E. Casteigne, Pierre Part, La., office established June 1, 1967.

MAINE

Charles W. Bennett, Monroe, Maine, in place of A. E. Smart, retired.

MASSACHUSETTS

C. Frederick Gilgun, Burlington, Mass., office established December 30, 1967.

MINNESOTA

Milo H. Aakhus, Effie, Minn., in place of Virgia Poole, retired.

Donald F. Speer, Felton, Minn., in place of D. A. Dalby, retired.

MISSISSIPPI

Bessie Y. Swedenburg, Mayhew, Miss., in place of M. B. Morris, retired.

Maxine A. Hodges, Toccopola, Miss., in place of K. Y. Patton, deceased.

MISSOURI

Alva C. Clark, Ballwin, Mo., in place of K. E. Feldmann, retired.

NEBRASKA

Dale O. Dallegge, Bartlett, Nebr., in place of E. M. Ball, retired.

NEW JERSEY

Richard M. Degnan, Glen Gardner, N.J., in place of R. C. DeRemer, deceased.

NEW YORK

Thomas L. Mooney, Bolivar, N.Y., in place of H. F. Sackinger, deceased.

Edwin P. Kennedy, Cazenovia, N.Y., in place of L. E. Hendrix, retired.

NORTH CAROLINA

John R. Nichols, Jacksonville, N.C., in place of W. H. Willis, retired.

OHIO

Homer L. McCarty, Cheshire, Ohio, in place of Phyllis Hawley, retired.

Josephine A. Price, Jacksonville, Ohio, in place of H. J. Seckinger, retired.

Henry J. Climer, Londonderry, Ohio, in place of V. L. Detty, resigned.

Tom I. Murray, Novelty, Ohio, in place of E. C. Schumaker, retired.

Barbara J. Walters, Saint Johns, Ohio, in place of Eileen Martin, retired.

OKLAHOMA

Virgil G. Frey, Amorita, Okla., in place of B. J. Platts, retired.

Elwood O. Mallow, Geronimo, Okla., in place of Lucretia Dickson, retired.

Robert R. Stephens, Purcell, Okla., in place of D. S. Williams, retired.

OREGON

D. S. Rogers, Government Camp, Oreg., in place of J. L. Hagen, transferred.

PENNSYLVANIA

William J. Gardner, Howard, Pa., in place of D. B. Gardner, retired.

Walter L. Wheaton, Warren Center, Pa., in place of L. F. Jones, deceased.

Marvin S. Feist, White Haven, Pa., in place of S. M. Braybrook, retired.

PUERTO RICO

Jose A. Ramirez, Caguas, P.R., in place of Angel Socorro, retired.

SOUTH CAROLINA

James R. Carter, Longs, S.C., in place of G. L. Shaw, deceased.

TENNESSEE

Marie S. Sampson, Fall Branch, Tenn., in place of Annie Bacon, retired.

Paul L. Hicks, Joelton, Tenn., in place of M. B. Reasoner, retired.

TEXAS

Lowell L. Nafe, Argyle, Tex., in place of L. M. Thompson, retired.

VIRGINIA

Ruth H. Pruden, Crittenden, Va., in place of N. H. Mason, retired.

Marvin B. Howell, Red Ash, Va., in place of O. M. Brooks, retired.

Charles B. Snyder, Woodstock, Va., in place of J. S. Clower, retired.

WASHINGTON

Orville R., Amondson, Centralia, Wash., in place of F. M. Moses, retired.

Mary J. Petterson, Eastsound, Wash., in place of E. B. Gibson, deceased.

Lydia Roosendaal, Southworth, Wash., in place of Dick Roosendaal, deceased.

WEST VIRGINIA

Arlene F. Chambers, Bolt, W. Va., in place of A. A. Farmer, resigned.

Joseph D. Corns, Davin, W. Va., in place of Ruth Corns, retired.

WISCONSIN

Charles T. Lydon, Kendall, Wis., in place of Q. B. Collins, transferred.

Alice M. Tourtillott, Neopit, Wis., in place of V. E. Sickler, retired.

WYOMING

James E. Poelma, Carpenter, Wyo., in place of V. M. Pacheco, retired.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of major general:

Hugh M. Elwood
Donn J. Robertson
Lowell E. English
William G. Thrash
Marion E. Carl
Arthur H. Adams
Louis Metzger

The following-named officers of the Marine Corps for permanent appointment to the grade of brigadier general:

George C. Axtell
George D. Webster
James A. Feeley, Jr.
Foster C. LaHue
Charles F. Widdecke
Louis H. Wilson, Jr.

The following-named officers of the Marine Corps for temporary appointment to the grade of colonel, subject to qualification therefor as provided by law:

Robert V. Anderson
Clark Ashton
Louis Baeriswyl, Jr.
Roscoe L. Barrett, Jr.
Arthur C. Beverly
Herbert J. Blaha
Charles H. Bodley
William W. Eldridge, Jr.
Dean E. Esslinger
William S. Fagan
Alfred F. Garrotto
William F. Gately, Jr.
Donald E. Gilman
John C. Boulware
Lawrence J. Bradley
James T. Breckinridge
Sherwood A. Brunnenmeyer
George W. Callen
George G. Chambers, Jr.
Allen B. Clark
Morris D. Cooke
Clifford D. Corn
James M. Cummings
William M. Cummings
Bertram H. Curwen, Jr.
Clarence G. Dahl
William J. Davis
Edmund G. Derning, Jr.
Jack N. Dillard
James W. Dillon
Earl C. Dresbach, Jr.
Edward W. Dzialo
William F. Harrell
James M. Hayes
James S. Hecker
Gilbert R. Hershey
Marvin M. Hewlett
Ralph A. Heywood
Twyman R. Hill
Kurt L. Hoch
Frank X. Hoff
Donald E. Holben
Joseph J. Holicky, Jr.
Louis S. Hollier, Jr.
Glenn R. Hunter
David G. Jones
Edward H. Jones
Douglas T. Kane
John H. Keith, Jr.
James P. Kelly
Walter C. Kelly
William A. Kerr
Robert King, Jr.
Charles S. Kirchmann
Frederick M. Klepp-sattel, Jr.
Wilson A. Kluckman
Francis R. Kraince
Frederick S. Knight
Robert J. Lahr
James M. Landrigan
John J. Leogue
Dean W. Lindley
Verle E. Ludwig
Joseph W. Malcolm, Jr.
Andrew V. Marusak, Jr.
Donald L. May
Gene M. McCain
Alfred F. McCaleb, Jr.
Stewart B. McCarty, Jr.
James McDaniel
Gordon D. McPherson
George A. Merrill
Edward B. Meyer
George F. Meyers
Jack L. Miles
Richard R. Miller
Robert T. Miller
John F. Miniclier
John F. Mitchell
Herman L. Mixson
Donald E. Morin
Thomas E. Mulvihill
Arthur A. Nelson, Jr.
Joseph A. Nelson
Noah C. New
Thomas P. O'Callaghan
Frederic O. Olson
Owen L. Owens
Thurman Owens
Robert E. Parrott
William C. Patton
Clifford J. Peabody
Eddie E. Pearcy
Richard F. Peterson
William Plaskett, Jr.
William D. Pomeroy
Albert R. Pytko
Richard H. Rainforth
Walter L. Redmond
Jack L. Reed
James H. Reeder
Robert V. Reese
Carroll D. Rowe, Sr.
John C. Scharfen
George R. Scharnberg
Richard J. Schening
Robert B. Sinclair
Clyde H. Slayton, Jr.
Joris J. Snyder
Walter E. Sparling
Charles R. Stephenson III
Thomas J. Stevens
Richard M. Taylor
William W. Taylor
William G. Timme
Henry A. F. Vonderheyde, Jr.
Charles M. Wallace, Jr.
Marshall A. Webb, Jr.
Raymond J. Weber
Paul Weiler
Wallace Wessel
Charles T. Westcott
William J. White
Royce M. Williams
Robert L. Willis
Howard Wolf
Kermit M. Worley
Robert E. Young
Wilbur K. Zaudtke

CONFIRMATIONS

Executive nominations confirmed by the Senate September 13, 1968:

U.S. CIRCUIT JUDGE

William J. Holloway, Jr., of Oklahoma, to be U.S. circuit judge, 10th circuit.

U.S. DISTRICT JUDGE

Lawrence Gubow, of Michigan, to be U.S. district judge for the eastern district of Michigan.

EXTENSIONS OF REMARKS

PUBLIC PRINTER ANSWERS WASHINGTON URBAN LEAGUE

HON. CARL HAYDEN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Friday, September 13, 1968

Mr. HAYDEN. Mr. President, recently the Government Printing Office was the object of a series of allegations by the Urban League of Washington and the Council for Negro Progress in Government. I should like to insert in the RECORD Public Printer James L. Harrison's reply to these allegations, which in my view is wholly responsive to the charges of bias and discrimination leveled at the Government Printing Office.

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

U.S. GOVERNMENT PRINTING OFFICE,
Washington, D.C., September 13, 1968.

Mr. JOHN E. JACOB,
Acting Executive Director, Washington Urban League, Inc.

Mr. ALONZO C. BARNETT,
Council for Negro Progress in Government, Washington, D.C.

DEAR MR. JACOB and MR. BARNETT: I received your letter of September 5, 1968, and read it with a sense of disillusionment—disillusionment in the fact that the Urban League and the Council for Negro Progress in Government are apparently unaware of what has been done and is now being done in the Government Printing Office to develop career opportunities for all of our employees without regard to race, color, religion, sex, national origin, or political affiliation.

I would first like to point out that the Government Printing Office is one of the few agencies in the Washington, D.C., area that provides a substantial amount of employment where the greatest need exists—at the unskilled level. We hire and offer unlimited opportunity for the under-trained to learn marketable skills and to advance to salary levels virtually unreachable in other places