

tor could compel a witness to testify in a criminal prosecution even though he has claimed the fifth amendment.

Mr. ACHESON. That is correct.

Senator DOMINICK. And what are the constitutional implications of that?

Are you not, in effect, saying that the fifth amendment does not mean anything any more?

Mr. ACHESON. No, there are many immunity statutes, Senator, both in the United States Code and a few in the District of Columbia Code, which provide for, in effect, making an exchange with the witness.

You remove his privilege of silence and you give him, in exchange, immunity against prosecution.

Senator DOMINICK. Well——

Mr. ACHESON. And the Supreme Court has often decided that such an exchange, by statute, is consistent with the Constitution. For example, *Ullman v. U.S.*, 350 U.S. 422.

Senator DOMINICK. But it is true, however, that this still leaves him subject to prosecution for perjury or contempt of court in connection with his testimony?

Mr. ACHESON. That is true.

Senator DOMINICK. So he does not have an immunity under the fifth amendment.

Mr. ACHESON. Well, he has immunity against disclosures that he is compelled to make. He does not have immunity to lie, that is true.

That exception, I may say, has not been thought to raise any constitutional problems by the Supreme Court.

Senator DOMINICK. Thank you.

Mr. ACHESON. I would like to deal with title IV and title V of H.R. 7525.

Title IV, I think, is a desirable amendment to existing law.

The purpose of it is this: Section 3202 of title 22 of the District of Columbia Code authorizes additional terms of imprisonment for the commission of crimes of violence with firearms.

Title IV of the bill would simply add the crime of robbery to the definition of a crime of violence for the purpose of the additional sentencing authority under section 3202.

Robbery seems to have been omitted as an oversight and, adding it there is really in the nature of a technical amendment.

Sections 501, 502, 503, 505, and 507 of the bill provide for mandatory minimum sentences in the event of conviction for felonious assault, burglary, robbery, and an armed crime of violence, and the placing of explosives with intent to injure.

Both the Law Enforcement Council of the District of Columbia and the Department of Justice are opposed to these provisions.

We believe——

The CHAIRMAN. May I ask you a question there simply for the record?

What is the Law Enforcement Council?

Mr. ACHESON. It is a statutory body, Senator, defined in the District of Columbia Code title 2, section 1901, made up of the heads of the law enforcement agencies, correction agencies, and legal offices, relating to the government of the District of Columbia.

The CHAIRMAN. And who is that?