

tion must be given? Is there a fear that if given time the people will express their opposition in such overwhelming terms that they cannot be ignored? Is there a fear that the militant Black Power groups will continue to burn our cities down if Congress does not pay this blackmail, as has been said here this morning, we must fear?

I will answer my own questions. The answer to them all is "Yes." An Associated Press story appearing in last Friday a week ago's Washington Post quoted him as saying he wanted quick action on this bill because of the impending march on Washington. There is only one phrase to describe the administration's panic: "racial blackmail."

This legislative illegitimacy is being dumped on the doorstep of the House with a note pinned to its diaper asking us to give it the honorable parentage it does not now have. Gentlemen, I make an unwilling wet nurse.

Gentlemen, before I close my remarks on this bill, I want to touch for a moment on an ill-conceived and dangerous amendment adopted by the Senate which would impose severe penalties for certain activities in connection with civil disorders. I have reference to title X of the bill, sections 231 to 233, known popularly as the Long amendment.

I know that Senator Long, who represents my own State of Louisiana, had the best intentions in the world with this amendment. I know the distinguished Senator's sensible views on civil disobedience and violence and it could not have been his intention to open up the Pandora's box this amendment opens.

Paragraphs (1) and (2) of section 231(a) make criminal the teaching, demonstration of use, application, making, transportation, or manufacture of firearms while—and this is the dangerous wording I am opposed to—"while knowing or having reason to know or intending" that the firearm would be unlawfully used in any way or degree to impede or adversely affect commerce.

Now, as I say, I am sure the Senator had in mind a purpose that is entirely constitutional and proper. However, the vagueness of the phraseology used here could and undoubtedly would involve innocent persons in criminal liability with very heavy penalties.

The phrase "or having reason to know or intending" is an example of what I mean. The all-encompassing scope of this terminology embraces more than is either constitutional or practical. A firearms manufacturer or a firearms safety instructor could easily become a violator of a Federal criminal statute by any number of innocent circumstances if this language is allowed to stand.

I feel sure that the Judiciary Committee, made up as it is of some of the foremost legal minds in this Nation, would strike such ambiguous and vague wordage.

Any number of other examples of this uncertain wordage are found in this amendment, such as, for another example, the words "in any way or degree." This has the clear meaning that no matter how remote or infinitesimal the adverse impact on commerce might be, a person could be caught up in the tangle of this Federal statute and imprisoned, fined, or both.

The impracticality of such language is manifest, Mr. Chairman, and this dangerous situation must be cleared up. It can only be cleared up by taking the proper approach in such a situation, send the bill to the Judiciary Committee or to a House-Senate conference,