

get what you can in any way, manner, or means that you can . . . —“A Tribute to the Square.” December 21, 1964. Quoted in Margaret Chase Smith, “Declaration of Conscience.”

Now, three decades after Senator Smith wrote those words and four decades after her “Declaration of Conscience” speech, her words ring as true as they did when Margaret Chase Smith first uttered them. We may learn from them even today, as we celebrate Senator Smith’s memory, her conscience, and her values. ●

THE SOUTHERN CALIFORNIA ATF FIREARMS TRACE STUDY

● Mr. SIMON. Madam President, I would like to draw my colleagues’ attention to a recent report released by the southern California field office of the Bureau of Alcohol, Tobacco and Firearms [BATF]. This report details a firearms trace study conducted on firearms found in crime scenes in southern California. The BATF’s objective in conducting this study was to help determine the source of crime guns and suggest practices to counter the threat posed by illicit traffic in firearms. The results of the study provide evidence that many firearms used in crimes come from licensed firearms dealers. The results also reveal the problems of interstate trafficking in firearms, and the need for uniform, national firearms regulations.

The report, titled “Sources of Crime guns in Southern California” describes the results of a firearms trace study in which special agents and intelligence analysts reviewed police reports and submitted trace requests for 1,764 guns recovered by selected law enforcement agencies in Los Angeles, Orange, and San Diego Counties between January 1, 1994 and November 10, 1994.

The results of the study raise serious questions about some of the rhetoric used to oppose firearms regulations. Last year, as I worked to tighten licensing requirements for Federal firearms dealers, many who opposed my proposals claimed that licensed gun dealers are not the source of guns used in crimes. This report shows that, at least in southern California, that is just not true. The ATF report outlined six sources of the guns recovered from crime scenes. By far the largest source was licensed gun dealers: Commercial gun dealers accounted for 80 percent of the guns recovered.

According to the study, many significant gun trafficking cases involved at-home dealers who purchased large quantities of firearms from distributors, then resold them without paperwork. Recent legislation, from the Brady law to my gun dealer licensing reforms in last year’s crime bill, has begun to address the serious lack of oversight on licensed gun dealers. As a result of my reforms, Federal firearms licenses now require a photograph and fingerprints, dealers are required to comply with State and local laws, and

the ATF now has 60 days, instead of 45, to investigate before granting a license. Additional reforms raised the licensing fee from a mere \$30 to \$200. In fact, several recent cases have led to prosecution and conviction on felony licensing and recordkeeping violations.

The report also shows the problems with interstate trafficking of firearms, and provides yet another argument in favor of national firearms regulations. Many of the guns recovered from crime scenes in southern California were traced to dealers in neighboring States with less stringent regulations: 30 percent of the guns included in the study were traced to dealers in 40 States other than California. Arizona and Nevada comprised 25 percent of the out-of-State purchases.

California is a State with strong gun trafficking laws. All gun transfers, including those involving private parties, must go through a dealer and be approved by the California Department of Justice. Prospective purchasers of handguns and long guns are screened during a 15-day waiting period and approved buyers are perpetually recorded in a computer database. California forbids the possession of certain assault weapons and forbids felons from possessing any type of firearm whatsoever.

By comparison, the laws of surrounding States, such as Nevada and Arizona, are highly permissive. Neither State imposes any restrictions other than the minimum Brady Bill requirements. Long gun sales and private transactions are not regulated and there is no central registry of handgun sales.

I would like to commend the ATF for conducting this important firearms trace study. The results of their report should help to inform the debate on gun control legislation. ●

THE LIFE OF GEORGE HENRY WILLIAMS

● Mr. HATFIELD. Mr. President, throughout its colorful history, the State of Oregon has been blessed with the talents of many distinguished leaders. In my readings, I have been struck by the number of these great Oregon citizens who have received little notice from the writers of U.S. history. One such individual is Senator George Henry Williams.

I was reminded of Judge Williams’ important role in Oregon history by an article which recently appeared in the Oregon State Bar Bulletin. The article, excerpted from Judge Williams’ obituary, was skillfully edited by Julie Hankin of the Bulletin. This excellent piece of history gives us a glimpse into the extraordinary life of a great American and I recommend it to my colleagues.

A contemporary and close friend of Abraham Lincoln, Judge Williams came to Oregon following his appointment as Chief Justice of the Oregon territory in 1853. His ambition, however, was to serve in the U.S. Senate.

Having worked actively as a Free Soil Democrat, he eventually left the party for that of Lincoln and was elected to the U.S. Senate in 1864 on the Republican ticket. There, he quickly earned the respect of his colleagues and, later, the notice of his President, Gen. Ulysses S. Grant. President Grant nominated Williams to serve as his Attorney General. Williams withdrew his name from consideration, however, following a set of intriguing circumstances, all of which are detailed in the article which I will submit for the RECORD following my remarks.

Mr. President, in a city guided all too often by ego, I am always pleased to discover unsung heroes, those who sought only to serve their countrymen, not themselves. As noted author Walter Lippman once said: “The final test of a leader is that he leaves behind in other men the conviction and the will to carry on.” George Henry Williams was such an inspirational figure.

I ask that the article from the Oregon State Bar Bulletin appear in the RECORD.

[From the Oregon State Bar Bulletin, May 1995]

OREGON’S GENTLE GIANT—THE LIFE OF
GEORGE HENRY WILLIAMS: SENATOR, ATTORNEY
GENERAL, AND LAWYER

(By C.E.S. Wood)

George Henry Williams was born in a log cabin in New York state in 1823. Both of his grandfathers served in the Continental Army during the Revolutionary war. He studied law, and in 1844, at the age of 21, he was admitted to the bar at Syracuse. Soon afterward he started West to seek his fortunes as a lawyer.

Nationwide there were but a few miles of railroad at the time—none west of Indiana. There were no telegraph lines. Travel was by river, canal and coach. Pittsburgh and St. Louis were the Western frontier. Chicago did not exist. He made his way by the Erie Canal, the Ohio Canal, the Ohio River as far as St. Louis and then up the Mississippi to Fort Madison, Iowa. His wealth was the Statutes of New York and some bank notes of New York state banks.

Unfortunately, while Williams was counting backnotes in Pittsburgh in order to exchange them for western notes, they were snatched from him in a robbery. By virtue of his honest face he procured passage on boats to St. Louis and then Fort Madison.

In 1847, on the admission of Iowa as a state, he was elected a district judge. The same year he first met Abraham Lincoln at a conference in Chicago. Here began a great, lifelong friendship between these two with much background in common—born in poverty in log cabins, growing to the rugged strength and height of giants, athletic and sympathetic to the great masses. Judge Williams would later be selected as one of the escorts of honor and one of the pall bearers at Lincoln’s funeral.

As an anti-slavery Democrat, Judge Williams campaigned throughout Iowa for Franklin Pierce and was elected one of the presidential electors on the Democratic ticket. Shortly after Pierce’s inauguration in 1853, at the suggestion of his friend, Sen. Stephen A. Douglas, Williams was appointed chief justice of Oregon Territory. He was 30 years old. The appointment was without his knowledge and contrary to his wish.

He had gotten married in 1850 in Iowa to Miss Kate Van Antwerp and found his \$1,000

annual salary as an Iowa district judge too small to meet the expenses of married life. He sent in his resignation, with the intention of resuming the practice of law. Lawyers of both Whig and Democrat persuasion begged him to remain on the bench.

In the end, the young and romantic Mrs. Williams decided their fortunes. Oregon was the unknown land of the West, and the excitement of voyaging there appealed to her. The couple fully intended to return to Iowa as soon as Judge Williams' term in Oregon expired.

The young couple made their home in Salem. President Buchanan appointed Judge Williams to a second term, but private practice still tempted him. He resigned, and in 1858 opened an office in Portland in a small frame building on the river bank between Washington and Alder streets.

These were stirring times in Oregon. The admission of the territory into the Union as a state was a vital issue and necessarily involved whether it should come in as a free or as a slave state. One of the desires that induced Williams to leave the bench was not only to add to his income by practicing law, but that he might enter the active arena of politics. His ambition was to be United States senator.

As a Democrat he championed the anti-slavery cause. He became a Free Soil Democrat, elected to the state constitutional convention and appointed chairman of the judiciary committee there. Apparently by the force of argument and eloquence, he greatly aided in having the free constitution adopted by the state.

Judge Williams' strong anti-slavery work in Oregon had antagonized the administration in Washington, with the result that he was not appointed United States senator. Also at the first election he was defeated by the opposition.

Judge Williams had joined in the call for an amalgamation of anti-slavery-war-Democrats with Republicans, to be called the Union Party, and by this transition he entered the Republican party and in 1864 was elected to the United States Senate. His long-held ambition was fulfilled. He entered the Senate at the close of the war and beginning of the reconstruction period. He was the sole author of the Reconstruction Act substantially as it was adopted. He drew the 15th Amendment essentially as it now stands. He was a member of the Joint High Commission, which met in Washington to determine how the disputes between Great Britain and the United States should be settled. He was a leader in the Senate during the impeachment of Andrew Johnson.

The enforcement of his Reconstruction Act also fell to Williams as Grant's attorney general at the expiration of his senatorial term: In all the troubled times following the Civil War, the responsibility of enforcement law and order by civil remedies was on Williams' shoulders. The task included confronting the Ku Klux Klan's lawlessness. Also, he had to decide between two governments in Louisiana, Alabama and Arkansas, conflicts which he resolved in favor of the Republicans in Louisiana, the Democrats in Arkansas and by a compromise in Alabama.

If therefore surprised no one (except Oregonians) that General Grant sent his name to the Senate to be chief justice of the United States. Judge Williams eventually insisted on his name being withdrawn. The causes have been variously stated as political animosity in the East due to his reconstruction work and Republican partisanship; social antagonism to his second wife, then ambitious to be a leader in Washington society; and opposition in Oregon, because in the course of his Washington career, he had necessarily failed to please everyone back home.

As the story goes, he went to see Grant to insist that his name be withdrawn. They drove out behind Grant's favorite pair of trotters, and the president became so absorbed in the discussion that he overdrove the horses and one of them died. I the end, Grant took Williams' suggestion of Morrison R. Waite of Ohio, saying, "Wire him in your own name and ask him if he will take the office of chief justice of the United States." The result is a matter of history.

It seems that Judge Williams only narrowly missed being chief justice, but he used to sum up the whole matter by saying, "I believe I have lived longer and happier than if I had been raised to that exalted office."

He returned to Portland and resumed the practice of law. He was a two-term mayor of the city from 1902-1905. He died in his sleep at home in Portland, April 4, 1910.

WHAT KIND OF MAN WAS HE?

These are the milestones in Williams' life. Taken alone, they are impressive enough. On the other hand, other men have held high office and lived long lives, busy in civic affairs on all levels. Those who knew Judge Williams want to emphasize what manner of man he was.

In all that he did he was filled with common sense and the spirit of justice. As a judge he was calm, impersonal and impartial, sensible, passionless and just. As a lawyer he was forceful, eloquent, sincere and never let justice be obscured by technicalities. Although learned in the law, his ruling trait was plain, good sense. He disliked dissension or contention either in public or private life.

At 87 he was still youthful in mind, belonging to the present and not the past. He was as interested in the problems of the day and as progressive in thought as a man of 25.

He exhibited his own childlike simplicity of character in his fondness for children. One of the last images his partners had of him was of Williams gazing gravely at a 2-year old girl who had toddled into his office from the hallway and stood staring at him.

After a moment's mutual viewing each other in silence, not knowing they were observed, the judge was heard to say solemnly to his small visitor, "Were you looking for a lawyer?" In a few days he was dead, and there passed one of the kindest and most lovable of men.●

CONTINUE THE OFFSHORE DRILLING BAN

● Mr. BIDEN. Mr. President, I rise today to voice my strong opposition to efforts by some in the House of Representatives to remove the current moratorium on offshore oil and gas drilling on the Outer Continental Shelf. Last Tuesday, the House Interior Appropriations Subcommittee voted to lift this 14-year-old ban without soliciting any input from the coastal states directly affected. The full committee will have an opportunity to reverse this misguided action this week, and I call on them to reinstate this prohibition.

Mr. President, lifting this moratorium is short-sighted and unnecessary, and threatens to litter our coastline with mammoth drilling rigs. This will only increase the likelihood of oil and gas spills and other environmental disasters.

We faced this battle roughly 20 years ago in Delaware when oil and gas inter-

ests wanted to drill in the Baltimore Canyon off the coast of the Delmarva Peninsula. This is clearly one instance where Federal law is necessary and effective and we ought to keep the ban.

Mr. President, I am terribly concerned that this move is yet another part of an overall antienvironmental agenda now being advanced. Whether it is the air we breathe, the water we drink or the food we eat, there are increasing attempts to do away with reasonable health and safety protections.

Lifting the ban on offshore drilling—at a time when world oil supply and prices remain stable, and when the Republican budget proposal includes billions in oil sales from the north slope of Alaska—is unnecessary, misguided and just plain wrong.

Just one oil or natural gas spill, similar to the tragic *Valdez* accident, could permanently destroy miles and miles of pristine State beaches and boardwalk. Such an accident could also easily erase the decade of progress made in restoring the fragile ecosystems of the Chesapeake and Delaware Bays.

Due largely to concerns over these environmental risks, the Congress, in 1982, struck a fair balance between the need for expedited exploration and development, and the need to protect coastal environments.

This policy has been effective and has enjoyed bipartisan support. Oil and natural gas extraction in the most abundant areas has continued and even increased, generating tens of billions of Federal revenue, while the sanctity, beauty and safety of our coastlines has been preserved. A fair balance.

Yet now, in total disregard for the interests of coastal states, and "States rights" which is so often invoked and embraced, the House is attempting to upset this balance.

Mr. President, this is a perfect example of the proper role for Government in ensuring the safety of our environment and the health of our citizens. At a bare minimum, coastal states should have the authority to extend the moratorium to the Outer Continental Shelf adjacent to the States' coastline. That is why I have joined with the distinguished Senator from California [Mrs. BOXER] in introducing legislation enabling States to reimpose this needed drilling restriction on their Outer Continental Shelf waters.

Yet, I remain terribly concerned that a more comprehensive approach, covering all of the Outer Continental Shelf, as we have had in the past, is what is needed.

Mr. President, I intend to fight vigorously to ensure the continued sanctity of our coastal communities and remain committed to the ban on offshore drilling.●

THE 1995 ELLIS ISLAND MEDALS OF HONOR RECIPIENTS

● Mr. PRESSLER. Mr. President, as the former honorary chairman of Ethnic American Day, I have the distinct