

proposal that Congress enact a law making it a Federal offense to bomb a house of worship. In the first place, it is probable that this measure would violate the constitutional provisions which imposes primary responsibility for law enforcement on the states. The fact that the victim of an unlawful dynamiting is a house of worship does not, it seems to us, constitute ground for invoking the powers of the Federal government. In the second place, and equally important, the proposal disregards the basic problem and treats simply one comparatively minor aspect of it. The number of houses of worship bombings in the South is a relatively small one as compared to the scores of bombings of residences and business places owned by Negroes. Any legislation seeking to impose Federal penalties upon vandals and unlawful users of dynamite must, if it is to have any significance, include in its compass those who use dynamite against private dwellings and places of business.

For the same reason, we do not favor a bill which would make it a Federal offense to transport explosives across state lines with the intent to use them against communal buildings, such as churches and schools. While there is ample precedent for such a measure in that the transportation of explosives across state lines constitutes ground for Federal intervention, the exclusion of private homes and places of business from the proposal makes it defective and inadequate.

We do, however, favor and urge *enactment of a measure that would make it a Federal offense to transport explosives in interstate commerce with the intent to use them unlawfully against communal buildings and private residences and places of business*. While this measure, if enacted, cannot be counted upon

completely to meet the problems of lawlessness in the South, it would represent one effective, if modest, step in meeting that problem.

3. Enforcement of Existing Laws Against Violence

The quest for new Federal laws aimed at violence and vandalism should not obscure the fact that there are today laws on the statute books making it a Federal penal offense to conspire to deprive persons of rights secured by the Constitution, including the right to attend non-segregated public schools. While these laws may well be inadequate and, as recommended by the President's Committee on Civil Rights some ten years ago, require revision, expansion and modernization, nevertheless they do offer substantial basis for Federal intervention. We suggest that the Department of Justice has not fully utilized existing laws that can and in the past have been used to detect and punish persons committing violence against the lives and properties of Negroes. We urge therefore that without waiting for the enactment of additional laws the Department of Justice and the Federal Bureau of Investigation *undertake a concentrated effort to determine to what extent the recent bombings in the South violate existing Federal laws* and apprehend the guilty and bring them to justice.

4. Protecting the Voting Rights of Negroes

At its last session, Congress enacted a law whose purpose it was to accord greater Federal security to the rights of Negroes to participate in elections and primaries in the South. Notwithstanding this new statute, the reports