

TRAFFIC IN OPIUM.

OCTOBER 20, 1914.—Ordered to be printed.

Mr. KITCHIN, from the committee of conference, submitted the following

CONFERENCE REPORT.

[To accompany H. R. 6282.]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6282) to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 10.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 5, 6, 7, 9, 11, 12, 13, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, and 35, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows:

Strike out the word "October," inserted by said amendment, and insert in lieu thereof the word *March*; and on page 1 of the bill, line 4, strike out the word "fourteen" and insert in lieu thereof the word *fifteen*; and the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows:

Strike out the word "obliged" in the matter inserted by said amendment and insert in lieu thereof the word *required*; and the Senate agree to the same.

Amendment numbered 8:

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows:

Strike out all the matter inserted by said amendment and insert in lieu thereof the following: *keep a record of all such drugs dispensed or distributed, showing the amount dispensed or distributed, the date, and the name and address of the patient to whom such drugs are dispensed or distributed, except such as may be dispensed or distributed to a patient upon whom such physician, dentist or veterinary surgeon shall personally attend; and such record shall be kept for a period of two years from the date of dispensing or distributing such drugs, subject to inspection, as provided in this Act;* and the Senate agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows:

In line 3 of the matter inserted by said amendment, after the word "States," insert the following: *to any person in any foreign country;* and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows:

In line 3 of the matter inserted by said amendment, after the word "territorial," insert a comma; and in line 6 of the matter inserted by said amendment, after the word "Navy" and the comma, insert the following: *the Public Health Service* and a comma; and the Senate agree to the same.

Amendment numbered 17:

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows:

In line 15 of the matter inserted by said amendment strike out the word "interest" and insert in lieu thereof the word *intent*; and the Senate agree to the same.

Amendment numbered 22:

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows:

In line 3 of the matter inserted by said amendment, after the word "veterinarian," insert the following: *required to register under the terms of this Act;* and the Senate agree to the same.

Amendment numbered 29:

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows:

Strike out "one-fourth" and insert in lieu thereof *one-eighth*; and the Senate agree to the same.

CLAUDE KITCHIN,

CORDELL HULL,

J. HAMPTON MOORE,

Managers on the part of the House.

F. M. SIMMONS,

JOHN SHARP WILLIAMS,

C. S. THOMAS,

P. J. McCUMBER,

REED SMOOT,

Managers on the part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6282) to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying report:

Amendment No. 1. This amendment provides for the date of effectiveness of this act, and the House recedes with an amendment fixing March 1, 1915, as the date the act shall go into effect in lieu of October 1, 1914. This change in date is necessary, for before the act can take effect provision must be made for registering and issuing official order blanks to at least 250,000 manufacturers, dealers, physicians, dentists, and veterinarians.

Amendment No. 2. This amendment permits officers of the United States, the States, the Territories, the insular possessions, and the District of Columbia lawfully engaged in making purchases of the specified habit-forming drugs to do so without registering and without paying the special tax, and the House recedes.

Amendment No. 3. The act requires the registration of every person producing, manufacturing, selling, giving away, or dispensing any of these specified habit-forming drugs, and then excepts certain officers of the Federal and State Governments. This amendment therefore becomes necessary in order to obviate any question of the right of these officers to dispense or give away the drugs which they purchase without registering, and the House recedes with an amendment, changing the word "obliged" to "required."

Amendments Nos. 4, 5, 6, 7, 9, 11, 12, 13, 14, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30, 31, 33, 34, and 35 are either changes in language making the phraseology of the act more clear and certain or correcting clerical errors, and the House recedes.

Amendment No. 8. This amendment as redrafted does not require the personal attention of a physician, dentist, or veterinary surgeon to dispense or distribute any of the aforesaid narcotics, but, in case there is not personal attention on the part of the physician, dentist, or veterinarian, a record showing the amount of the drug dispensed or distributed, the date, the name, and the address of the patient to whom such drugs are dispensed or distributed must be kept for a period of two years, subject to inspection by the officers, agents, and employees of the Treasury Department and to the State, Territorial, District, municipal, and insular officials named in this act. Physicians, dentists, and veterinary surgeons will not have to keep a record of the quantity of the drug administered, etc., when in personal attendance upon their patients.

Amendment No. 10. Section 8 of this bill makes it unlawful for any person not registered under the provisions of this act to have in his possession or under his control any of the habit-forming drugs specified in this act, but exempts employees of registered persons acting in the scope of their employment and nurses acting under the supervision of a physician, dentist, or veterinary surgeon. As nurses are often employed by the patient, in order to prevent a nurse employed by a patient having possession of the aforementioned drugs from becoming liable to the penalty for violation of this act it therefore is necessary for the physician, dentist, or veterinary surgeon to register under this act, and the Senate recedes.

Amendment No. 15. This amendment is to make it clear that it will be lawful for manufacturers and dealers to sell to the specified public officers without the official order blank. This amendment becomes necessary because previous amendments have exempted these officers from the necessity of registering and obtaining official order blanks. The House recedes with an amendment specifying among the exempted class of officers those of the Public Health Service.

Amendment No. 17. This amendment becomes necessary because in the Philippine Islands, Porto Rico, and the Canal Zone the United States internal-revenue laws do not apply and there are no Federal internal-revenue districts or collectors. Neither are there any United States district courts in the Philippines. This amendment merely bestows jurisdiction in the Philippine Islands on the local courts and gives the President authority to issue such Executive orders as are deemed necessary to carry into effect the intent and purpose of this act, and the House recedes.

Amendment No. 22. This amendment merely extends the exemption from liability under this act to persons delivering any of the aforementioned drugs prescribed or dispensed by a physician, dentist, or veterinarian, and to United States, county, municipal, District, Territorial, or insular officers or officials acting within the scope of their official duties, and the House recedes with an amendment requiring the physician, dentist, or veterinarian to register under the terms of this act.

Amendment No. 29. The House bill limited the amount of heroin that could be sold, distributed, given away, or dispensed without coming within the terms of this act to one-twelfth of a grain. The Senate increased the amount to one-fourth of a grain, and the House recedes with an amendment limiting the amount to one-eighth of a grain.

Amendment No. 32. This amendment exempts nurses working under the supervision of physicians, dentists, or veterinary surgeons registered under the act from the provisions of the act. This provision becomes necessary because the nurse is generally employed by the patient, and is therefore not an employee of a person registered under the act, and the House recedes.

CLAUDE KITCHIN,
CORDELL HULL,
J. HAMPTON MOORE,

Managers on the part of the House.