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PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, SECOND SESSION

MIKE MANSFIELD REPORTS FROM
WASHINGTON

SPEECH
OF

HON. MIKE MANSFIELD

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, September 1, 1970

THE MANSFIELD RECORD AGAINST CRIME, DRUGS,
FILTH, AND VIOLENCE

Mr. MANSFIELD. Mr. President, crime drugs, filth, and violence are national problems. They are among the gravest issues facing our State and the Nation today. Crime and violence, drug addiction, obscenity, and raw pornography affect all. They ravage, in particular, those who visit and reside in our crowded urban centers.

To combat crime, to curb violence and drug traffic and to end the spread of filth and pornography will take the boldest and most dedicated efforts. There must be stiffer penalties for drug pushers, better facilities for addicts, more police on the beat and compensation for crime victims. The fight includes steps that may not be the most politically expedient. They are steps that must be taken nonetheless. The fight involves the support of anticrime measures that must be tested constitutionally; measures like preventive detention and no-knock entries. The fight will also involve updating crime programs that are not always popular; programs like the gun law revisions of 1968. But doing only what is popular or expedient will not solve the problems of crime, drugs, filth, and violence.

For my part in this essential effort, I have acted in three ways: First, I have authored or been a principal sponsor of crime-fighting and antiobscenity proposals; second, I have voted for every major anticrime, antidrug, and anti-pornography measure that has come before the Senate; third, as the majority leader of the Senate, I have helped to bring about Senate passage of nearly all major proposals to curb crime, drug abuse, and pornography pending in the Congress. Here is the list:

MANSFIELD SPONSORED OR SUPPORTED
ANTI-CRIME AND PORNOGRAPHY PRO-
POSALS

1. MANDATORY SENTENCES FOR GUN CRIME (S. 849). The Mansfield Mandatory Sentence bill would deter the use of guns by criminals. It would impose mandatory jail sentences for the criminal's choice of that

weapon in committing his crime. The sentence would be served IN ADDITION to the term served for the crime itself. This bill has passed the Senate unanimously. The crime law planned for the District of Columbia has also adopted the Mansfield Mandatory Sentence approach.

2. THE HRUSKA-MANSFIELD PRISON REFORM MEASURE (S. 2875) calls for a major overhaul of our penal institutions to convert them from graduate schools for crime and violence to institutions where criminals will have a chance to be rehabilitated.

3. THE MANSFIELD ANTI-PORNOGRAPHY PROPOSAL (S. 3220) would compel mailers of obscenity to warn addressees of the potential pornographic nature of the enclosures. Recipients could return the offensive material and the sender could be penalized. Hearings on this Mansfield bill are scheduled before the Senate Post Office Committee.

4. THE GOLDWATER-MANSFIELD ANTI-OBSCENITY AMENDMENT to the Postal Reform bill forbids the shipment of obscene materials through the mail where the addressee asks for such a ban. The Mansfield proposal above, goes one step further by placing the burden entirely on the pornography mailer.

THE SENATE'S ANTI-CRIME AND DRUG CONTROL RECORD INCLUDES THE FOLLOWING ACHIEVEMENTS, ALL SUPPORTED OR SPONSORED BY THE MAJORITY LEADER:

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968—establishes broad new program of law enforcement assistance at all levels of government;

COMMISSION ON NOXIOUS AND OBSCENE MATERIALS;

GOLDWATER-MANSFIELD ANTI-OBSCENE MAIL AMENDMENT—to the Postal Reform Act (H.R. 17923);

ORGANIZED CRIME CONTROL;

DRUG CONTROL;

DISTRICT OF COLUMBIA COURT REORGANIZATION;

PUBLIC DEFENDER, DISTRICT OF COLUMBIA;

CRIMINAL LAW REVISION, DISTRICT OF COLUMBIA;

JUVENILE CODE, REVISION

OMNIBUS JUDGESHIP BILL;

FEDERAL IMMUNITY OF WITNESSES;

SOURCES OF EVIDENCE;

CORRUPT ORGANIZATIONS ACT;

CRIMINAL JUSTICE ACT AMENDMENTS; and

1968 GUN CRIME LAW—updated and replaced 30 year old gun laws in an effort to keep guns out of the hands of the drug addict, the lawless, the criminal, the untrained and the incompetent.

As these measures take hold, only time will tell the extent to which they will help to stem or even reverse the crime rate. In any event, proposals to fight crime, to curb drug traffic and violence and to put the lid

on filth and obscenity will continue to be at the top of the Mansfield agenda.

SPECIAL REFERENCE TO THE LAW AIMED
AT CRIMES COMMITTED WITH GUNS

The 1968 Gun Crime law was enacted to help in the fight against crime and violence. In 1968 the Federal Bureau of Investigation and the National Association of Chiefs of Police pleaded for revisions in gun laws that had been on the books for 30 years or more. To save lives and to crack down on criminals, drug abusers and fugitives, I supported the 1968 Gun Crime law. My decision to support the measure was made in a sincere effort to push the war on crime, the war against the killers and cripples and maimers of innocent citizens. I am persuaded that the law will assist in the war on crime.

There has been much confusion about gun laws; about what they do and what they do not do. There has been much misinformation. The record should be clear and the facts should be known.

THE FACTS ABOUT THE GUN CRIME LAW

1. ITS PROPER FUNCTION. Gun legislation is to cope with crime and violence not to tread on the rights of bona fide users of guns. This was the intent of Congress in 1968 in revising the gun laws. I believe in a continuous review of the 1968 changes and all other gun laws. I believe in adjusting any portions which prove only an annoyance to decent citizens, and of little use as weapons against crime. Congress has already been able to eliminate parts of the 1968 law which were shown as ineffective deterrents to crime. For example, the Bennett-Mansfield Amendment repealed the ammunition section of the 1968 Gun Crime law for rifles and shotguns. If adopted, the McGee-Mansfield Amendment will repeal the provisions for .22 caliber ammunition.

2. THE GUN CRIME LAW OF 1968 SOUGHT TO UPDATE THE EARLIER FIREARMS LAWS ENACTED BACK IN 1934 AND 1938. Since 1938, when the Federal Firearms Act was enacted, Federal LICENSES have been required for all gun and ammunition dealers. The 1938 law also required the REGISTRATION of guns and ammunition as the Secretary of the Treasury directed. Federal orders issued under the 1938 law contained WELL OVER 100 DETAILED REQUIREMENTS covering the sale of guns and ammunition including (1) a full and adequate description of each firearm; (2) the manufacturer; (3) the manufacturer's serial number; (4) the caliber of gauge; (5) the model and type; (6) the name and (7) address of each person from whom received, together with (8) the date of acquisition; (9) the disposition made including (10) the name and (11) the address of the person to whom sold and (12) the date of disposition. Violators of the 1938 law could be jailed for 5 years and fined \$2,000.

An even earlier Federal gun control law was the National Firearms Act of 1934. It imposed, among other things, REGISTRATION AND LICENSING RESTRICTIONS on per-

sons possessing sawed-off shotguns or rifles, machine guns, gun mufflers, or gun silencers.

3. WHAT IS THE LAW ALL ABOUT? The 1968 Gun Crime Law (supported by the FBI and the National Association of the Chiefs of Police) replaced and updated gun laws passed in 1934 and 1938, laws which had been on the books for more than 30 years. It actually TOOK OUT REGISTRATION features, while imposing mail order restrictions and encouraged more effective state and local gun crime measures.

[Prior to 1968, state and local gun laws were easily avoided through mail order purchases or by shopping in states or places nearby for "Saturday Night Specials" where there were no gun restrictions.]

4. WHO IS COVERED? The 1968 Gun Crime Law precludes gun sales ONLY TO DRUG ADDICTS, MENTAL INCOMPETENTS, FELONS, FUGITIVES, AND INDIVIDUALS CONSIDERED DANGEROUS. Sales are also banned to minors. A law-abiding gun owner can purchase and use any gun. He can hunt and teach proper weapons handling to his children and others.

5. HOW IT WORKS. To set apart known addicts, criminals and other dangerous persons, records of name, age and address, height and weight, race and place of birth (THAT'S ALL) are obtained when a gun is sold. This identification is exhibited much in the same fashion as is required in obtaining BANK LOANS, INSURANCE, AUTOMOBILES, VOTING REGISTRATION and—as in the case of minors—buying ALCOHOLIC BEVERAGES. The effectiveness of this or any other law will depend upon the vigilance of law enforcement agencies. Note that the fugitive who was cited in the killing of three persons and a judge recently in a California courtroom shoot-out was identified through a gun-purchase record.

6. IS IT CONSTITUTIONAL? The Second Amendment says, "A well regulated Militia, being necessary to the security of a free State, the right to bear arms, shall not be infringed." As read by the Courts this Amendment bars the Federal government from disarming law-abiding citizens who wish to purchase and use ordinary weapons in order to shoot and to hunt, to protect themselves and others and to protect their property and the property of others. THIS IS THE LAW!

But the Second Amendment does NOT say—and the Courts have so read it—that the Federal government and even the State governments CANNOT IMPOSE REASONABLE REQUIREMENTS IN AN EFFORT TO KEEP GUNS OUT OF THE HANDS OF THE LAWLESS, THE CRIMINAL, THE INSANE, THE ADDICT and so forth. That is what the government—Federal, State, and local—has been striving to do since at least 1934.

To repeat, the issue has been tested several times, in the past 30 years. Each time the Supreme Court has ruled that reasonable efforts to keep guns out of the hands of drug addicts, criminals, the lawless and other dangerous persons do not violate the Second Amendment to the Constitution.

7. WHAT THE LAW DOES NOT DO:

- (a) It does NOT confiscate weapons;
- (b) It does NOT compel or make gun owner lists available;

[As a convenience to gun dealers a computer list of licensed DEALER addresses (NOT OWNERS) is retained by the Treasury Department in order to notify DEALERS (NOT OWNERS) of all gun law regulation changes. Under the Freedom of Information Act some forty or fifty of these lists have been sold (at \$140 a piece). It is understood that the list purchasers were mainly gun dealers and political organizations interested in seeking funds and support against gun crime law supporters. It has been held that listing OWNERS AND COLLECTORS would constitute an invasion of privacy. I agree.]

- (c) It does NOT preclude the law-abiding gun owner from purchasing or using weapons;
- (d) It does NOT prevent young people (under 18) from shooting, hunting and learning proper handling of weapons;
- (e) It does NOT cost gun purchasers one cent.

8. WHY VOTE FOR IT? My vote was not a vote FOR banning guns; it was a vote AGAINST guns in the hands of the drug addict, the criminal and the incompetent. It was a vote against all who seek guns to murder, cripple, rob, rape, and maim. And it was a vote for apprehending them as well. It is easy to talk about rising crime rates but, if we intend to do something about them, we must be prepared to do what is necessary, notwithstanding the political consequences.

9. "GUNS DON'T KILL PEOPLE—PEOPLE KILL PEOPLE." But people using guns do kill—and rob, rape, maim and assault. These are the unthinking and the malicious who have no business obtaining weapons. They should not be permitted access to guns. The 1968 law is aimed solely at those people who used guns in 1968 to commit 99,000 robberies, 65,000 assaults and 9,000 murders in this nation. Last year alone 83 police officers were shot to death by the gun-toting criminals. In some of our cities shooting policemen have become commonplace. Ask them or their survivors how they feel about responsible firearms legislation.

Unfortunately, people elsewhere do not always have the gun training and supervision that is commonplace in Montana which would enable them to think prudently when handling a gun. Sensible gun-users are asked by the law to make a sacrifice, therefore, for the good of the nation; the kind of sacrifice that is asked of the responsible licensed automobile driver. They are not asked to accept gun confiscation or repressive gun law. I made certain that the revisions of 1968 contained the following proviso: "That no undue or unnecessary Federal restrictions be placed on law-abiding citizens with respect to the acquisition, possession, or use of firearms. . . ." That was my view when I voted for this measure. It remains my view.

10. THE NEXT STEP IS THE MANSFIELD MANDATORY JAIL SENTENCE BILL. Almost three-fourths of the Senate supported the

1968 Gun law to help the fight against crime and violence. The Mansfield gun sentence bill is another vital anti-crime tool and if enacted will impose mandatory prison sentences against those who commit crimes using a gun. This mandatory sentence would be imposed separately and solely against the criminal for his choice to use a gun. The bill has already passed the Senate unanimously. I have every hope that it will be passed by the House and signed by the President.

11. WHAT ABOUT AMMUNITION? (A) THE BENNETT-MANSFIELD AMENDMENT struck down an ammunition regulation never intended by Congress. In the so-called ammunition provision, the Treasury Department called for the collection of a great deal of specific data covering each sale of ammunition. This was tantamount to registration; it was neither intended nor suggested by Congress. As a result, the law-abiding gun-owning public was burdened immensely in efforts to purchase ammunition. There was no corresponding benefit. The Bennett-Mansfield amendment repealed this provision for rifle and shotgun ammunition. Similar action should be taken and will be spurred by me whenever the intent of Congress is not being served or when the law appears not to meet the objectives sought. (B) THE MCGEE-MANSFIELD AMENDMENT to cover twenty-two ammunition and ammunition for other revolvers and pistols has been introduced and co-sponsored by twenty-nine other Senators to seek to do the same as the Bennett-Mansfield amendment did in the rifle-shotgun area. It is our hope that, like the Bennett-Mansfield amendment, the McGee-Mansfield amendment will be passed by the Congress this year and enacted into law.

12. IS THE 1968 LAW HELPING TO CONTROL CRIME? (A) The Treasury Department reports a 313% increase in arrests for gun crime violations in the first year and one-half after the 1968 revisions went into effect; (B) The first year (1969) also showed for the first time NO INCREASE over the previous year in the rate of murder by guns (65.4%). As already noted, the fugitive cited in the killing of the persons and a judge recently in a California courtroom was identified through her gun record; this and other cases indicate the effectiveness of this updated crime-fighting tool.

13. OUR OBJECTIVES. All of us seek solutions to crime and an end to violence. We do so with every consideration for the protections guaranteed the criminal under the Constitution. Just as emphatically, however, must the rights of the victim of crime be safeguarded. It is the victim who too often in the past has been neglected. Our first concern should be for him, for his suffering, his safety, and the safety of his family and neighbors. To that end, I shall continue to devote my best efforts and to give not only my industry but, in behalf of the people, my best judgment as well. That is what I have endeavored to do ever since I have been a member of the Congress of the United States.

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As these measures take hold, only time will tell the extent to which they will help to stem or even reverse the crime rate. In past years, other than the 1968 law, the only other legislative restrictions on gun

1968 GUN CRIME LAW—updated and re- placed 30 year old gun laws in an effort to keep guns out of the hands of the drug addict, the criminal, the incompetent and the incompetent.

CRIME (2) and the Mansfield mandatory sentence bill would have the effect of

now in store for the space program. I believe we will continue to need a strong space program in the future for many reasons. First, we can not stop while progress and knowledge are accelerating. We live in an age when, due in part to the space program, to stop is to regress. We can not afford to give any nation another technological headstart, such as the Soviet Union had with their Sputnik in the early days of space exploration.

Second, we can not give up the benefits we are deriving from the space program. Also, would not our economy be endangered if the thousands of technically trained people currently employed in the aerospace industry were left unemployed or forced to accept less skilled jobs?

Another major reason for a strong space program is that it could someday replace War in international philosophy. Space can act as the technological catalyst in much the same way as the military has in the past, with far greater benefits and much less destruction. The space program can also help keep peace by channeling international technology to beneficial uses, rather than to annihilation.

Finally, we must "leave ourselves an out," as a nation. We do not now need a military base in orbit or on another planet, but we may in the future. We do not now need to leave an uninhabitable Earth and colonize another planet in order to survive, but this possibility is certainly looming in the years ahead. Only a strong space program can provide us these options in the future. And, in today's unstable world, how dare we remove from ourselves the possibility of any of these situations, when such options are provided by the space program and may someday be imperative for our very survival?

In the last analysis, the most important single result from the space program, for both mankind in general and men as individuals, may be that space has given us new horizons. Looking ahead from the moon, we can see the whole universe at our feet, if we but continue the effort, looking back from space, we can see that all men are in the same position, all fellow voyagers on the spaceship Earth. We can see how imperiled is our own "life-support system," our polluted environment. And we can see how petty are all the little conflicts, between men, between ideologies, and between nations.

Neil Armstrong has said, "The Space Age may be the time when men begin to understand one another." With the help of forward-looking legislators and a continued strong space program, we can make this vision a reality.

Thank you again for your interest.
Sincerely yours,

TODD GARVIN,
Representative, State of California, Explorer Space Seminar 1970.

JULY 24, 1970.

Sen. CHARLES PERCY,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR SENATOR PERCY: I have recently completed a one week stay at the Kennedy Space Center during which time I participated in a study of our space program. After consolidating the facts I gained during that week with those which I had personally contacted earlier, I have remained convinced of the inevitability of space exploration but, more importantly, I have realized the full value of space endeavors as well as the great potential that this frontier holds. I recognize that I hold merely one opinion among many, yet I still feel a responsibility to relate that opinion to others. That which follows is a sincere attempt to do just that.

Contrary to what many might expect, I was impressed by neither the sophisticated hardware needed for the program nor by

the specific knowledge required to create the program in the first place. What did impress me were the limitless benefits of the program which could be directly applied to man and his ways of life. Some of these would have been difficult for me to recognize and even more difficult to appreciate had I not visited the Space Center. In this sense, the past week has been particularly enlightening for me.

For instance, I had been aware of satellites and their use as a relay station for television, telephone, etc. Yet, I had not appreciated their value as a tool for bringing quality education to underprivileged countries. To have tried to provide this service by conventional means would have necessitated a large commitment of manpower and funds. Such a program alone would have lacked the permanence that a satellite offers.

I had also recognized satellites as instruments that could be used for continuous mapping of the earth. However, I had not appreciated what value this could have in providing advance warning of hurricanes and other severe weather occurrences. I find impossible to express what this means to man, for how can one measure the importance of saving human life? And for that matter, how can one measure the effect of improved weather forecasting on business, agriculture, and all of man's activities?

An equally impressive aspect is the progress made in the field of medicine as a result of the Space Program. Of the complex systems used to monitor the astronauts much is directly applicable to everyday use and more is of value in modified form. Improved monitoring systems, more precise methods of measurement, artificial organs with greater reliability—one can't measure their value on a monetary scale. And as throughout the space program more advances lie in the waiting for someone to apply them to the chief beneficiary—Man himself.

I conclude with an advantage that I have found to be the most difficult to grasp. Man's realization of his relative smallness amongst the infinite vastness of the universe has had a unifying effect bonding the peoples of the world into one. Through no other means can I see as hopeful a future for men to overcome their differences than through a cooperative space program initiated by, funded by, and whose benefits will be shared by all the nations of the world as one.

WADE HILLMAN,
Representative, Pepsi Cola and Hugh
O'Brian Space Seminar.

ADMIRAL MOORER'S FAREWELL

Mr. ALLEN. Mr. President, Alabama's and the Nation's Adm. Thomas H. Moorer recently assumed the chairmanship of the Joint Chiefs of Staff, America's highest military post. In so doing, he relinquished the title of Chief of Naval Operations and a naval career spanning 41 years. The following message to the men and women of the U.S. Navy was Admiral Moorer's final communication from their commanding officer.

George Washington's final order to the Armies of the United States and Robert E. Lee's final order to the Army of Northern Virginia have become a part of the Nation's history.

It is my belief that Admiral Moorer's farewell message will occupy an important place in the annals of the U.S. Navy and that it will serve as an inspiration and a guide for all who read it, whether they be servicemen or civilians. Robert E. Lee said:

Duty is the sublimest word in the English language.

Admiral Moorer uses a more encompassing word, "responsibility," which would embrace "duty" and more.

I ask unanimous consent that Admiral Moorer's farewell to the naval forces, as published in the Birmingham News of August 30, 1970, be printed in the RECORD.

There being no objection, the farewell message was ordered to be printed in the RECORD, as follows:

[The Birmingham (Ala.) News, Aug. 30, 1970]

ADMIRAL MOORER'S FAREWELL: "RESPONSIBILITY" KEY WORD TO GUIDE MODERN LIVES

After more than 41 years of serving in our Navy, I will soon assume the responsibilities of Chairman of the Joint Chiefs of Staff. I am deeply honored that our Commander-in-Chief has shown his confidence by appointing me to this position. At the same time, I will miss the degree of personal contact and close affiliation which I have been privileged through the years to have with officers and men throughout the Fleet and Shore Establishment of the U.S. Navy. The past 41 years have convinced me that our Navy has been made great and will remain great so long as we have dedicated people of all ranks and rates who put service before self, country before comfort, and responsibility before personal convenience—and before what is phrased these days as "doing your own thing." In what is now a different age, the concept of duty has lost none of its importance. It retains its age-old significance in the survival of a free society.

I would like to share with all of you some thoughts on values which I have cherished through the years—beliefs which have not changed in my mind since I was a boy in Alabama, and particularly those which are related to personal responsibility. I hope these thoughts will also be meaningful to you, not only in your activities as Navymen, but also in your everyday life as Americans.

In saying this I fully recognize the large-scale changes which have taken place during the 20th century. When I was a young man, consciously or unconsciously, strong home patterns, strong patriotic feelings, and strong beliefs in traditional religion provided a sort of conscience and care for our total society. The belief in God and Country was adequate to provide the binding cement necessary, particularly in our American way of life.

The kind of responsibility I have in mind leans not so much in the direction of obligation as it does toward concern. It includes knowing to whom one is responsible. It implies caring enough to become involved in discharging these responsibilities.

There is also what can be termed responsibility to tradition—the act of taking hold of the torch passed from one generation to the next, and then moving purposely ahead to achieve higher goals. One of the most common links between generations is the knowledge that the results you want most are the same general aims and results your elders started out to achieve.

Thus, the object is not to discredit and destroy, but to analyze and reject the worthless while continuing to build on that which is consistent with your own goals. You cannot destroy growth and still continue to grow. You cannot keep the ball rolling if you tear the cover off and beat the stuffings out of it.

There is a great difference between discrediting something and offering honest criticism. For instance, public dissent and debate, including public assembly and protest, are part of the American way of life. They are characteristics of an alert and vigorous

people. We teach our citizens to have convictions. We urge them to voice these convictions.

Unfortunately, somewhere along the line, something has been forgotten by a great many of our people. There is no quick, easy, and absolute solution to many of the world's problems. But I think we can test the course we are taking toward solutions, at any given time, simply by asking, "Is this consistent with what we are, with what we stand for?" This process is something we must work on every day. Remember, we live in a real world, not a dream world. Dreams have no limits; the real world has practical limits or at least limitations. Above all, we must distinguish between the world of our dreams and aspirations and the tough, cruel, demanding world of reality where advantage, gain, and privilege are accompanied by work, sweat, tears, and accountability for our actions.

A second responsibility is the one we all have to the society of which we are a part. We cannot try to wash our hands free of involvements in matters happening around us. We cannot try to wash away the stains of our own misdeeds.

You might ask, "Am I my brother's keeper?" The answer is "yes," and the same thought holds true for us as a nation. Over the years while we have been making our freedom more secure, we have learned that if freedom is to endure, it must be shared. We know that when any nation's freedom is denied, ours is threatened. We know that freedom has no sign on it reading, "Made in America" or "Reserved for Americans." Freedom is not free nor does it mean freedom from restraint—freedom means the supremacy of human rights everywhere.

Our support goes to those who struggle to gain those rights and to keep them. I believe that free men throughout the world must work and fight together for what they believe, or soon they will have no cause for which to work, fight or believe.

Closely related to our responsibility to society, are our responsibilities to this great nation of ours. In my opinion, the first step a man should take in sizing up his responsibilities is to stop thinking of our country in terms of "they" or "the government." Instead of trying to place the blame or burden on the "theys," we ought to think more in terms of our own personal involvement. After all, in America the government is we, the people.

In the Pentagon, I spend a sizable portion of my time trying to track down this elusive man "they." We must zero-in on specific organizations and individuals, and not simply make random reference to some unidentified and probably non-existent source of an alleged difficulty.

As a good American, you cannot be indifferent. Your first duty as a citizen is to be alert and interested in public affairs. No discussion of responsibility to the nation would be complete without mention of military service, because national defense is a prerequisite to everything we aspire to as individuals and as a country. As President Nixon has said, if we do not provide for adequate national defense, all other problems are moot.

More specifically, our Armed Forces form a shield behind which all else operates. If you will look at a map of the globe and then remember where our forces are—in Europe, in Southeast Asia, in Korea, and in our outlying states—you will see that they are positioned to dissuade the forces of aggression while we work by other means to achieve a just and lasting peace. They are there to help establish an environment of stability under which free men can determine their own course. They are there to permit orderly, political change.

Nor are our motives entirely altruistic. Freedom is on the line for America, too; certainly there is no more important vocation or

profession than to serve in the defense of our great nation.

Therefore, I think those who seek to demean the uniform and degrade this service can well live to regret their actions, because without a strong leadership in the Armed Services, the strength of our country will quickly decline.

The final responsibility I have in mind is the one you have to yourself. Personal responsibility begins with integrity, which is simply another word for personal honesty. Without integrity, all the other qualities of your personality do not amount to much, for the dishonest individual will use his good traits only when they suit his convenience. You cannot be a dishonest person and hope to be a responsible person.

Standing right at the heart of responsibility for one's self is the simple opinion: "What am I for?" We hear a great deal today about what people are against, but only a few ever stand up and tell us what they are for. After you can name and justify to yourself the things you stand for, the next step is to consider what you must do to support and foster those things. In those words, you must decide what you are for and then be for it.

On 2 July of this year I will take over my last assignment as a military officer. As I pass into what one might call the twilight of my career and look about the world full of war and the threat of war—as I look at the nation and see the bitterness of faction against faction and growing disrespect for law and order, I often wonder if everything my generation has attempted to do has been worth the effort. But, soon, I realize that it has, because our nation is stronger today than ever before.

We, as a people, face our problems more squarely than others. We are more willing to talk to one another, if even at the top of our voices sometimes. Above all, in America there is much more than regret. There is less cause for remorse than rejoicing. It will always be so long as, but only so long as, we have men and women willing and prepared to accept responsibility.

So you can approach the future with hands idle in your pockets, or busy rolling up your sleeves. You can stand there on the sidelines and criticize, or you can become involved in constructive. The man who turns away from responsibility will have much company, but not of his own choosing. He will be with birds of his own feather and they will deserve each other. A man who cares enough to become involved picks his company from among the finest.

Unlike many things a man aspires to, no one has to wait long for responsibility. Responsibility begins wherever you find it and you find it whenever you begin to look for it. You begin to look for it that very day in which you realize how important it is for you to care about the world and the people who live in it.

To each of you, with whom I have had the honor and privilege to serve in our great Navy through the years, I wish Godspeed and a great future. My thanks, continuing confidence, and admiration to each of you for your dedicated contributions to making—and keeping—our Navy the finest and strongest in the world.

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affect all. They ravage, in particular, those who visit and reside in our crowded urban centers.

To combat crime, to curb violence and drug traffic and to end the spread of filth and pornography will take the boldest and most dedicated efforts. There must be stiffer penalties for drug pushers, better facilities for addicts, more police on the beat and compensation for crime victims. The fight includes steps that may not be the most politically expedient. They are steps that must be taken nonetheless. The fight involves the support of anticrime measures that must be tested constitutionally; measures like preventive detention and no-knock entries. The fight will also involve updating crime programs that are not always popular; programs like the gun law revisions of 1968. But doing only what is popular or expedient will not solve the problems of crime, drugs, filth, and violence.

For my part in this essential effort, I have acted in three ways: First, I have authored or been a principal sponsor of crime-fighting and antiobscenity proposals; second, I have voted for every major anticrime, antidrug, and anti-pornography measure that has come before the Senate; third, as the majority leader of the Senate, I have helped to bring about Senate passage of nearly all major proposals to curb crime, drug abuse, and pornography pending in the Congress. Here is the list:

MANSFIELD SPONSORED OR SUPPORTED ANTI-CRIME AND PORNOGRAPHY PROPOSALS

1. MANDATORY SENTENCES FOR GUN CRIME (S. 849). The Mansfield Mandatory Sentence bill would deter the use of guns by criminals. It would impose mandatory jail sentences for the criminal's choice of that weapon in committing his crime. The sentence would be served IN ADDITION to the term served for the crime itself. This bill has passed the Senate unanimously. The crime law planned for the District of Columbia has also adopted the Mansfield Mandatory Sentence approach.

2. THE HRUSKA-MANSFIELD PRISON REFORM MEASURE (S. 2875) calls for a major overhaul of our penal institutions to convert them from graduate schools for crime and violence to institutions where criminals will have a chance to be rehabilitated.

3. THE MANSFIELD ANTI-PORNOGRAPHY PROPOSAL (S. 3220) would compel mailers of obscenity to warn addressees of the potential pornographic nature of the enclosures. Recipients could return the offensive material and the sender could be penalized. Hearings on this Mansfield bill are scheduled before the Senate Post Office Committee.

4. THE GOLDWATER-MANSFIELD ANTI-OBSCENITY AMENDMENT to the Postal Reform bill forbids the shipment of obscene materials through the mail where the addressee asks for such a ban. The Mansfield proposal above, goes one step further by placing the burden entirely on the pornography mailer.

THE SENATE'S ANTI-CRIME AND DRUG CONTROL RECORD INCLUDES THE FOLLOWING ACHIEVEMENTS, ALL SUPPORTED OR SPONSORED BY THE MAJORITY LEADER:

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968—establishes broad new program of law enforcement assistance at all levels of government;

COMMISSION ON NOXIOUS AND OBSCENE MATERIALS;

GOLDWATER-MANSFIELD ANTI-OBSCENE MAIL AMENDMENT—to the Postal Reform Act (H.R. 17923);
 ORGANIZED CRIME CONTROL;
 DRUG CONTROL;
 DISTRICT OF COLUMBIA COURT REORGANIZATION;
 PUBLIC DEFENDER, DISTRICT OF COLUMBIA;
 CRIMINAL LAW REVISION, DISTRICT OF COLUMBIA;
 JUVENILE CODE, REVISION
 OMNIBUS JUDGESHIP BILL;
 FEDERAL IMMUNITY OF WITNESSES;
 SOURCES OF EVIDENCE;
 CORRUPT ORGANIZATIONS ACT;
 CRIMINAL JUSTICE ACT AMENDMENTS;
 and

1968 GUN CRIME LAW—updated and replaced 30 year old gun laws in an effort to keep guns out of the hands of the drug addict, the lawless, the criminal, the untrained and the incompetent.

As these measures take hold, only time will tell the extent to which they will help to stem or even reverse the crime rate. In any event, proposals to fight crime, to curb drug traffic and violence and to put the lid on filth and obscenity will continue to be at the top of the Mansfield agenda.

SPECIAL REFERENCE TO THE LAW AIMED AT CRIMES COMMITTED WITH GUNS

The 1968 Gun Crime law was enacted to help in the fight against crime and violence. In 1968 the Federal Bureau of Investigation and the National Association of Chiefs of Police pleaded for revisions in gun laws that had been on the books for 30 years or more. To save lives and to crack down on criminals, drug abusers and fugitives, I supported the 1968 Gun Crime law. My decision to support the measure was made in a sincere effort to push the war on crime, the war against the killers and cripples and maimers of innocent citizens. I am persuaded that the law will assist in the war on crime.

There has been much confusion about gun laws; about what they do and what they do not do. There has been much misinformation. The record should be clear and the facts should be known.

THE FACTS ABOUT THE GUN CRIME LAW

1. ITS PROPER FUNCTION. Gun legislation is to cope with crime and violence not to tread on the rights of bona fide users of guns. This was the intent of Congress in 1968 in revising the gun laws. I believe in a continuous review of the 1968 changes and all other gun laws. I believe in adjusting any portions which prove only an annoyance to decent citizens, and of little use as weapons against crime. Congress has already been able to eliminate parts of the 1968 law which were shown as ineffective deterrents to crime. For example, the Bennett-Mansfield Amendment repealed the ammunition section of the 1968 Gun Crime law for rifles and shotguns. If adopted, the McGee-Mansfield Amendment will repeal the provisions for .22 caliber ammunition.

2. THE GUN CRIME LAW OF 1968 SOUGHT TO UPDATE THE EARLIER FIREARMS LAWS ENACTED BACK IN 1934 AND 1938. Since 1938, when the Federal Firearms Act was enacted, Federal LICENSES have been required for all gun and ammunition dealers. The 1938 law also required the REGISTRATION of guns and ammunition as the Secretary of the Treasury directed. Federal orders issued under the 1938 law contained WELL OVER 100 DETAILED REQUIREMENTS covering the sale of guns and ammunition including (1) a full and adequate description of each firearm; (2) the manufacturer; (3) the manufacturer's serial number; (4) the caliber of gauge; (5) the model and type; (6) the name and (7) address of each person from whom received, together with (8) the date of acquisition; (9) the disposition made including (10) the

name and (11) the address of the person to whom sold and (12) the date of disposition. Violators of the 1938 law could be jailed for 5 years and fined \$2,000.

An even earlier Federal gun control law was the National Firearms Act of 1934. It imposed, among other things, REGISTRATION AND LICENSING RESTRICTIONS on persons possessing sawed-off shotguns or rifles, machine guns, gun mufflers, or gun silencers.

3. WHAT IS THE LAW ALL ABOUT? The 1968 Gun Crime Law (supported by the FBI and the National Association of the Chiefs of Police) replaced and updated gun laws passed in 1934 and 1938, laws which had been on the books for more than 30 years. It actually TOOK OUT REGISTRATION features, while imposing mail order restrictions and encouraged more effective state and local gun crime measures.

[Prior to 1968, state and local gun laws were easily avoided through mail order purchases or by shopping in states or places nearby for "Saturday Night Specials" where there were no gun restrictions.]

4. WHO IS COVERED? The 1968 Gun Crime Law precludes gun sales ONLY TO DRUG ADDICTS, MENTAL INCOMPETENTS, FELONS, FUGITIVES, AND INDIVIDUALS CONSIDERED DANGEROUS. Sales are also banned to minors. A law-abiding gun owner can purchase and use any gun. He can hunt and teach proper weapons handling to his children and others.

5. HOW IT WORKS. To set apart known addicts, criminals and other dangerous persons, records of name, age and address, height and weight, race and place of birth (THAT'S ALL) are obtained when a gun is sold. This identification is exhibited much in the same fashion as is required in obtaining BANK LOANS, INSURANCE, AUTOMOBILES, VOTING REGISTRATION and—as in the case of minors—buying ALCOHOLIC BEVERAGES. The effectiveness of this or any other law will depend upon the vigilance of law enforcement agencies. Note that the fugitive who was cited in the killing of three persons and a judge recently in a California courtroom shoot-out was identified through a gun-purchase record.

6. IS IT CONSTITUTIONAL? The Second Amendment says, "A well regulated Militia, being necessary to the security of a free State, the right to bear arms, shall not be infringed." As read by the Courts this Amendment bars the Federal government from disarming law-abiding citizens who wish to purchase and use ordinary weapons in order to shoot and to hunt, to protect themselves and others and to protect their property and the property of others. THIS IS THE LAW!

But the Second Amendment does NOT say—and the Courts have so read it—that the Federal government and even the State governments CANNOT IMPOSE REASONABLE REQUIREMENTS IN AN EFFORT TO KEEP GUNS OUT OF THE HANDS OF THE LAWLESS, THE CRIMINAL, THE INSANE, THE ADDICT and so forth. That is what the government—Federal, State, and local—has been striving to do since at least 1934.

To repeat, the issue has been tested several times, in the past 30 years. Each time the Supreme Court has ruled that reasonable efforts to keep guns out of the hands of drug addicts, criminals, the lawless and other dangerous persons do not violate the Second Amendment to the Constitution.

7. WHAT THE LAW DOES NOT DO:

- (a) It does NOT confiscate weapons;
- (b) It does NOT compel or make gun owner lists available;

[As a convenience to gun dealers a computer list of licensed DEALER addresses (NOT OWNERS) is retained by the Treasury Department in order to notify DEALERS (NOT OWNERS) of all gun law regulation changes. Under the Freedom of Information Act some forty or fifty of these lists have

been sold (at \$140 a piece). It is understood that the list purchasers were mainly gun dealers and political organizations interested in seeking funds and support against gun crime law supporters. It has been held that listing OWNERS AND COLLECTORS would constitute an invasion of privacy. I agree.]

(c) It does NOT preclude the law-abiding gun owner from purchasing or using weapons;

(d) It does NOT prevent young people (under 18) from shooting, hunting and learning proper handling of weapons;

(e) It does NOT cost gun purchasers one cent.

8. WHY VOTE FOR IT? My vote was not a vote FOR banning guns; it was a vote AGAINST guns in the hands of the drug addict, the criminal and the incompetent. It was a vote against all who seek guns to murder, cripple, rob, rape, and maim. And it was a vote for apprehending them as well. It is easy to talk about rising crime rates but, if we intend to do something about them, we must be prepared to do what is necessary, notwithstanding the political consequences.

9. "GUNS DON'T KILL PEOPLE—PEOPLE KILL PEOPLE." But people using guns do kill—and rob, rape, maim and assault. These are the unthinkable and the malicious who have no business obtaining weapons. They should not be permitted access to guns. The 1968 law is aimed solely at those people who used guns in 1968 to commit 99,000 robberies, 65,000 assaults and 9,000 murders in this nation. Last year alone 83 police officers were shot to death by the gun-toting criminals. In some of our cities shooting policemen has become commonplace. Ask them or their survivors how they feel about responsible firearms legislation.

Unfortunately, people elsewhere do not always have the gun training and supervision that is commonplace in Montana which would enable them to think prudently when handling a gun. Sensible gun-users are asked by the law to make a sacrifice, therefore, for the good of the nation; the kind of sacrifice that is asked of the responsible licensed automobile driver. They are not asked to accept gun confiscation or repressive gun law. I made certain that the revisions of 1968 contained the following proviso: "That no undue or unnecessary Federal restrictions be placed on law-abiding citizens with respect to the acquisition, possession, or use of firearms. . . ." That was my view when I voted for this measure. It remains my view.

10. THE NEXT STEP IS THE MANSFIELD MANDATORY JAIL SENTENCE BILL. Almost three-fourths of the Senate supported the 1968 Gun law to help the fight against crime and violence. The Mansfield gun sentence bill is another vital anti-crime tool and if enacted will impose mandatory prison sentences against those who commit crimes using a gun. This mandatory sentence would be imposed separately and solely against the criminal for his choice to use a gun. The bill has already passed the Senate unanimously. I have every hope that it will be passed by the House and signed by the President.

11. WHAT ABOUT AMMUNITION? (A) THE BENNETT-MANSFIELD AMENDMENT struck down an ammunition regulation never intended by Congress. In the so-called ammunition provision, the Treasury Department called for the collection of a great deal of specific data covering each sale of ammunition. This was tantamount to registration; it was neither intended nor suggested by Congress. As a result, the law-abiding gun-owning public was burdened immensely in efforts to purchase ammunition. There was no corresponding benefit. The Bennett-Mansfield amendment repealed this provision for rifle and shotgun ammunition. Similar action should be taken and will be spurred by me whenever the intent of Congress is not being served or when the law appears not to meet the objectives sought.

(B) THE MCGEE-MANSFIELD AMENDMENT to cover twenty-two ammunition and ammunition for other revolvers and pistols has been introduced and co-sponsored by twenty-nine other Senators to seek to do the same as the Bennett-Mansfield amendment did in the rifle-shotgun area. It is our hope that, like the Bennett-Mansfield amendment, the McGee-Mansfield amendment will be passed by the Congress this year and enacted into law.

12. IS THE 1968 LAW HELPING TO CONTROL CRIME? (A) The Treasury Department reports a 313% increase in arrests for gun crime violations in the first year and one-half after the 1968 revisions went into effect; (B) The first year (1969) also showed for the first time NO INCREASE over the previous year in the rate of murder by guns (65.4%). As already noted, the fugitive cited in the killing of the persons and a judge recently in a California courtroom was identified through her gun record; this and other cases indicate the effectiveness of this updated crime-fighting tool.

13. OUR OBJECTIVES. All of us seek solutions to crime and an end to violence. We do so with every consideration for the protections guaranteed the criminal under the Constitution. Just as emphatically, however, must the rights of the victim of crime be safeguarded. It is the victim who too often in the past has been neglected. Our first concern should be for him, for his suffering, his safety, and the safety of his family and neighbors. To that end, I shall continue to devote my best efforts and to give not only my industry but, in behalf of the people, my best judgment as well. That is what I have endeavored to do ever since I have been a member of the Congress of the United States.

PURSUIT OF A POSTSECONDARY EDUCATION

Mr. PELL. Mr. President, as chairman of the Subcommittee on Education it is my long-range objective to insure that every American who wishes for and is capable of a postsecondary education should have the opportunity to pursue it, whether at a college or vocational school. As a taxpayer I would like to see this accomplished at a minimum expense to the Federal Government. Nevertheless, I believe that there is a definite role for the Government to play to insure this goal.

The present approach of Federal aid to postsecondary education is three pronged. Grants under the economic opportunity and work study programs are available for the most needy students. Three percent direct governmental loans—National Defense Education Act loans—are also available to these students and those from a somewhat higher income level. The guaranteed student loan program—in which the student takes a 7-percent loan from a private bank with the Government paying the interest while the student is in college and paying the bank an incentive to equal the current rate of interest—is available to the student from a middle-income family.

Much discussion of the present aid program has been engendered by the administration's proposed revision of it. The revision would eliminate the 3-percent direct and 7-percent subsidized loans by setting up a mechanism under which the student would take a loan at his bank and shoulder the total cost of that loan him-

self. This new plan was said to be in the interest of economy. Let us analyze the revision from the point of the Government and the student.

From the Government's point of view there appears to be a savings, for the subsidy and incentive costs would be done away with. However, it should be clearly noted that the NDEA loan program with its low 3-percent cost to the student will ultimately be cheaper to the Federal Government. Both the capital and interest of an NDEA loan return to the Federal Government, working in somewhat the same way as the Federal highway trust fund. For example, a \$100 million loaned directly by the Government at 3 percent will return to the Federal Government in the future. The program not only pays for itself, but generates income and it will recycle funds for future loans.

From the viewpoint of the student it is clear a 3-percent loan is more desirable than the current 7 percent of the guaranteed student loan program, or one at the market rate that the administration proposes. The payout under the present guaranteed student loan program and those to be expected under the administration's revision constitute a budget drain lost forever.

Let us take a simple case which could well occur if the administration bill were enacted, or if the present outload of the NDEA 7-percent loan and grant program continues. If a young man were from a family with more than a \$10,000 a year income level and borrowed \$2,000 a year to further his education, he would be holding at the end of his college career \$8,000 worth of loans, at a market rate of let us say 8 percent. If he married a girl who financed her education in the same manner, that young married couple would have a \$16,000 debt at 8 percent which would have a marked effect on their future life.

I do believe that within the three pronged package approach I spoke of earlier the present guaranteed students loan program has a place. The subsidized 7-percent loan is one which should be utilized by middle-income students and those who wish to go to the more expensive colleges. And from the viewpoint in relation to immediate expenditure, the volume of loans is great.

The question has arisen, however, as to the position of the private lending institution in this program. Evidence before the Subcommittee on Education indicates that there well may be a need for a secondary market facility at which the banks could rediscount the guaranteed student loan paper. Witnesses expressed their urgent hope for this facility. I personally would be loath to see a new Federal bureaucracy develop, for the servicing of these loans through some quasi-public organization. I would rather see us proceeding in the form of a warehousing account in the Treasury Department if such a facility is needed.

It should also be noted that while the banking community has in the main done a laudable job in participating in the guaranteed student loan program, this participation has not been universal. Witnesses from two States indicated that no student from their State that they knew of ever went without such a guaranteed student loan. However, this is a voluntary program and I would hope that nonparticipating banks would become involved. And, with this in mind, it is also my hope that those banks which reserve this Government-guaranteed no-risk loan for their own business communicants would broaden the scope of lending.

Finally, I would like to point out that should an immediate emergency develop in the student loan area, a warehousing provision would not immediately ease it. There is, however, presently on the books unfunded authorizations for the educational opportunity grant program, the work-study program, and the National Defense Education Act loan program which would more than take up the slack and relieve pressure being experienced by the guaranteed student loan program.

An accompanying table showing certain figures will not only show the administration's poor commitment to the present program, but also demonstrate the available authorization which could be utilized in an emergency situation. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

FEDERAL STUDENT ASSISTANCE PROGRAMS—FISCAL YEAR 1971

Program	Type of assistance	President's budget	Authorization	Appropriation	Additional loans/grants which could be appropriated
National defense student loans.....	Direct Federal loans.....	\$176,925,000	\$375,000,000	\$246,000,000	\$130,000,000
Educational opportunity grants.....	Grants.....	77,500,000	170,000,000	59,614,000	110,386,000
Guaranteed student loans.....	Insured private loans.....	145,400,000	(1)	145,400,000	(2)
College work-study.....	Part-time work.....	154,000,000	320,000,000	160,000,000	160,000,000
Total (excluding guaranteed loans).....		408,425,000	865,000,000	465,614,000	400,386,000

¹Such sums as may be necessary.
²Unlimited.

CONQUEST OF CANCER—A NATIONAL GOAL

Mr. CRANSTON. Mr. President, on Friday, August 25, the Senate agreed to House Concurrent Resolution 675, which

establishes the conquest of cancer as a national goal. I wish to comment briefly on the significance of this declaration of purpose by Congress.

The resolution marks the year 1976 as the target date for the liberation of all