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Mr. McCLELLAN. Now, Mr. President, how much time have I consumed?

The PRESIDENT pro tempore. Eight minutes.

Mr. MANSFIELD. Mr. President, will the Senator from Arkansas yield me 7 minutes?

Mr. McCLELLAN. I yield to the distinguished majority leader such time as he may desire.

Mr. MANSFIELD. Mr. President, S. 750 is designed to restore the rights of the criminal victim to their proper place in this Nation's system of criminal justice. It is charged that the institutions of justice have become more concerned with the protection of the rights of the criminal than with the need for stiffer action against lawbreakers. But to me the major liability with the present system of criminal justice is its utter failure to consider the innocent victim. This is the whole basis for urging today that the concept of victim compensation be revived. S. 750 at long last recognizes that the victim is entitled to just as much protection as is accorded the criminal under the Constitution. Until now, it was the criminal who got the guarantee while the victim most often went ignored.

May I say also that S. 750 is not the Mansfield bill. Rather, it represents the combined efforts of a number of Senators who have exhibited a strong and lasting interest in providing relief for the innocent victim of violent crime. Senator McCLELLAN embraced such a concept out

of his deep compassion for those who are made to suffer at the hands of the criminal. It was the distinguished Senator from Minnesota (Mr. MONDALE) who provided his own strong leadership on this issue with S. 2817. I must say that many of the features of the Mondale bill, S. 2817, have been incorporated directly into S. 750 as it has been reported by the committee. In short, the record shows that providing recognition for the criminal victim has been the product of a joint effort, undertaken on a broad bipartisan basis, cutting across the entire philosophical front.

That is as it should be. The U.S. Government has paid out millions to foreign nationals injured by the criminal acts of Americans committed abroad.

Let me repeat that the U.S. Government has paid out millions to foreign nationals injured by the criminal acts of Americans committed abroad.

What S. 750 would achieve, therefore, would only give to our own citizens who suffer criminal injury the same consideration already provided by the United States to citizens of other nations.

And what about the concern this Congress exhibited for the victims of flood disaster? Within the last few weeks this Congress provided nearly \$2 billion as I recall for those who suffered from recent flood damage. Should we be any less concerned for the victim of violent crime? It should be noted that the program here proposed for victims of crime would cost about 1 percent of that established to aid victims of flood disaster.

Indeed, as a matter of public policy, compensation programs are not revolutionary concepts by far. In fact there is much similarity in rationale and origin between notions of compensating workers, assuring them of a reasonably safe

place in which to work, and compensating victims of crime, assuring them a reasonably safe society in which to live. Just as the worker was historically frustrated in his attempts to recover damages, so, too, has the victim of crime today been frustrated. In many cases the offender is not apprehended. When he is, he is often destitute. Further, present penal methods do not offer the offender an ability to make restitution because he cannot earn a gainful living.

Along with the worker compensation concept, other steps have been taken in the past 30 years or more which manifest society's abandonment of its laissez-faire attitudes when facing matters of collective community need. Social security and medicare; aid to dependent children; assistance for the handicapped, the aged, and the blind; notions of no-fault insurance and national health insurance—all reflect a recognition of collective responsibility.

Fulfilling this responsibility with regard to victims of crime is no easy task. Senate bill 750 attempts to face the problem. Adopting it at the Federal level by no means represents the first such step taken in modern times. Within the last 10 years, New Zealand, England, particular provinces in Canada and Australia have all enacted governmental programs of compensation for innocent victims of violent crimes. In addition, the States of California, Hawaii, Nevada, Maryland, Massachusetts, New York, and most recently, New Jersey, Rhode Island, and Alaska—all have enacted some type of compensation program.

S. 70 provides the impetus at the national level and, in my opinion, Mr. President, it is about time.

The PRESIDING OFFICER (Mr. GAMBRELL). Who yields time?

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Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield myself 1 more minute, and yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I think what the Senator has said indicates it will take a modest amount to take care of our own citizens, and it is far better to do that for \$30 million than it is to spend \$1.7 billion on foreign aid for the interests of citizens of other nations outside of this country.

Mr. McCLELLAN. The distinguished majority leader echoes my philosophy with regard to foreign aid. I have opposed such outlays for many years.

Mr. MANSFIELD. And furthermore, this Government does pay compensation to victims of crime in foreign countries where an American serviceman is involved. What is good enough for crime

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victims in foreign lands is certainly at least good enough for us. I think we ought to start looking after our own people, and, instead of talking about the constitutional rights of the criminal, alleged or otherwise—and in some cases we spend almost a million dollars protecting their rights—I think we ought to concern ourselves about the ones who have been assaulted.

Even in this vicinity, let alone throughout the Nation, eight or nine girls last week in the Capitol Hill area were robbed, and one of them raped. Persons in the employ of Senators are robbed in the Senators' offices.

The PRESIDENT pro tempore. The Senator's 1 minute is expired.

Mr. MANSFIELD. Crimes of aggravated assault and rape occur on, in, and around the Capitol grounds.

I am making no special plea for those people who work up here, but I am making a special plea for the people we never hear of who live in the 50 States of the Union, and who, I think, are entitled to this kind of consideration.

Do not forget, it was just about a week or so ago that the Senate passed a bill to provide for a \$50,000 payment to the survivors of a policeman killed in the line of duty. It is about time we start thinking of the great mass of the American people, because I think we have been too coddling, too easy, too lenient with the criminals, alleged or otherwise, and what I say goes for the courts of this Nation as well.

Mr. ERVIN. Mr. President, will the Senator from Nebraska yield me time?

tion program for the criminal victim; the group insurance program for public safety officers—a proposal sponsored chiefly by Senator KENNEDY; the death and disability benefit program for public safety officers, a proposal of Senator McCLELLAN's passed earlier this month; and the victims of racketeering program, also authored by Senator McCLELLAN and passed by the Senate earlier this month.

Let me read from the statement of findings and purposes of the act:

The Congress finds that (1) there is an increase of crimes of violence not only in urban, but also in suburban and rural areas; (2) the increase in crimes of violence is disproportionate to the increase in population; (3) the increase in crimes of violence increases the chances of a person becoming a victim of crime; (4) on an increasing basis crimes of violence are being directed at public safety officers, including policemen, firemen, and correctional guards; (5) law enforcement identification, apprehension, and conviction of perpetrators of crimes of violence is decreasing; (6) the perpetrators of crimes of violence, when identified, apprehended, and convicted are often not financially responsible; and (7) the victims of crimes of violence, their families and dependents, are often themselves unable to bear the consequent pecuniary losses without undue hardship.

It is, therefore, the purpose of this Act to commit the United States to meet its moral obligation to assist the innocent victims of violent crime, their families and dependents in financial need, by direct aid to those within the area primarily of Federal responsibility, by assistance to the States to aid those within the area primarily of State responsibility, by the establishment of insurance and benefit programs for public safety officers and their families and dependents, and by the strengthening of the civil remedies available to victims of racketeering activity.

This Victims of Crime Act substitute would modify the Law Enforcement Assistance Act as would the pending measure. The Victims of Crime Act substitute is designed to improve the quality of criminal justice as is the pending measure. In short, the pending proposal, designed to provide needed impetus in the rehabilitation of the criminal drug user serves as a most appropriate vehicle for the establishment of a program that provides for the innocent victim of the drug user's crime.

Mr. President, the Senate has acted affirmatively with respect to each feature of this proposal.

Its passage in this fashion provides the only prospect for the enactment of an overall program in behalf of the criminal victim during this Congress.

I hope the Senate will not now turn its back on the criminal victim, the policeman, killed or wounded in the line of duty, or the innocent citizen bilked at the hands of the criminal racketeer.

To repeat: The amendment under consideration would combine four separate bills which have already received Senate approval. It would put back together S. 2994, the Victims of Crime Act of 1972.

S. 2994 has as cosponsors 44 Senators: McCLELLAN, BAKER, BAYH, BEALL, BENNETT, BIBLE, BOGGS, BURDICK, CANNON, CASE, COOK, CRANSTON, EASTLAND, FANNIN, GRAVEL, GRIFFIN, GURNEY, HANSEN, HARRIS, HOLLINGS, HRUSKA, HUGHES, HUMPHREY, MANSFIELD, MATHIAS, METCALF, MILLER, MONDALE, MOSS, MUSKIE, NEL-

Mr. MANSFIELD. Mr. President, this amendment would include the Victims of Crime Act of 1972 in the pending measure. Its major thrust is to provide an omnibus program in behalf of victims of crime. This is a single amendment, a complete substitute and in no way represents a Christmas tree. Its provisions encompass four measures already approved by the Senate: The compensa-

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SON, PELL, PERCY, RANDOLPH, RIBICOFF, ROTH, SCHWEIKER, SCOTT, STAFFORD, STEVENS, STEVENSON, THURMOND, WILLIAMS, and YOUNG.

This represents a true cross section of the Senate.

As S. 2994 was considered by the committee on the Judiciary, the decision was made to separate its four titles into four separate bills. Since then, the Senate has given its approval to S. 750, providing for the compensation of the financial losses suffered by the innocent victims of violent crime; S. 33, establishing a contributing group life, accidental death and dismemberment program for public safety officers; S. 2087, authorizing a non-contributing death and dismemberment benefit for public safety officers in those situations where the death or dismemberment occurs in the line of duty as the result of a crime; and S. 16, providing expanded civil remedies for the victims of certain types of organized crime, or theft activity.

The 92d Congress will soon become a matter of history. If we are to hold any reasonable expectation of final congressional action responding to the various needs of criminal victimization, this step is essential.

Adoption of the amendment under consideration followed by passage of H.R. 8389 will allow this program of legislation to be considered in conference. I understand the House Judiciary Committee would be willing to consider this program as a whole. I do believe that it would be a positive step to take in the interest of all who fall prey to criminal behavior.

I urge its adoption on behalf of all who suffer the ravages of crime and violence.

Mr. McCLELLAN. Mr. President, will the Senator yield for purposes of clarification?

Mr. MANSFIELD. Yes, indeed.

Mr. McCLELLAN. I understand the amendment of the distinguished Senator would add to this bill the provisions of S. 750, Victims of Crime Act of 1972 that we passed earlier today.

Mr. MANSFIELD. Our substitute would do that. I say "our substitute" because we are cosponsors of the substitute.

Mr. McCLELLAN. It would also include the gratuity program for public safety officer—S. 2087.

Mr. MANSFIELD. The Senator is correct.

Mr. McCLELLAN. Would it also include the group life insurance program for public safety officer—S. 33?

Mr. MANSFIELD. The Senator is correct.

Mr. McCLELLAN. Might I ask if it would also incorporate the civil remedies provision of S. 16?

Mr. MANSFIELD. The Senator is correct.

Mr. McCLELLAN. Those bills would be added here as part of this bill, and they would go to the House.

Mr. MANSFIELD. The Senator is correct.

Mr. McCLELLAN. The House would have the opportunity of either taking all of them in this bill or acting on them independently.

Mr. MANSFIELD. The Senator is correct.

Mr. McCLELLAN. But they will all go to conference on this bill.

Mr. MANSFIELD. Absolutely.

Mr. McCLELLAN. So we will have an opportunity to get them enacted into law in this session.

Mr. MANSFIELD. This is the only chance to have that done in this fashion.

Mr. McCLELLAN. I wanted everyone to realize that that was the purpose—to try to get the will of the Senate and the Congress enacted into law in this session.

Mr. MANSFIELD. The Senator is correct.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KENNEDY. Mr. President, I join in commending the recommendation of the distinguished majority leader.

I feel all the programs we are considering today, the ones we passed earlier, on policemen and firefighters, all refer to the very central concern about victims of crime. This approach is consistent with the central theme of the bills that have been passed and they offer us the best opportunity to meet our responsibility to those needs. I commend the distinguished majority leader for the initiative he has provided in this area. As one extremely interested in two particular parts of this package and in general support of the others, I think this is a commendable step and I hope the Senate will support the majority leader in this approach. I think it is the best way to provide relief for those who are the victims of crime.

Mr. MANSFIELD. I thank the distinguished Senator and I call to his attention that he, too, is a cosponsor of the substitute.

Mr. President, I yield back the remainder of my time.