

Nixon Asks for New Death Penalty Law

WASHINGTON — (AP) — President Nixon disclosed yesterday he will ask Congress to overcome a Supreme Court decision and restore the death penalty promptly for certain federal crimes as part of a package of tough anticrime laws.

He ruled out legalization of the use or possession of marijuana and proposed mandatory life sentences without parole for major drug dealers with a prior conviction.

"This is tough legislation, but we must settle for nothing less," Nixon said as he outlined in a national radio address the proposals he will send Congress next week.

"When we fail to make the criminal pay for his crime, we encourage him to think that crime will pay," he said in the broadcast attack on permissiveness and on judges who he contended are too soft on criminals.

The President said his administration has made encouraging progress in the fight against crime, but declared a thorough revision of the federal criminal code is needed to "give us tougher penalties and stronger weapons in the war against dan-

gerous drugs and organized crime."

He said Atty. Gen. Richard Kleindienst had drafted a death penalty statute "consistent with the Supreme Court's recent decision . . ."

"This statute will provide capital punishment for cases of murder over which the federal government has jurisdiction, and for treason and other war-related crimes," the chief executive said.

The high court, in a 5-4 decision last June 29, ruled that the death penalty as it is imposed under current laws in the United States is unconstitutional.

Under Nixon's proposal, "the potential criminal will know that if his intended victims die he may also die."

"The hijacker, the kidnaper, the man who throws a firebomb, the convict who attacks a prison guard, the person who assaults an officer of the law, all will know that they may pay with their own lives for any lives that they take," Nixon said.

Commenting on the President's speech, Aryeh Neier, executive director of American Civil Liberties Union, called it "a statement of monumental banality."

"Despite every indication

to the contrary, he asserts again that capital punishment deters crime. Despite every indication to the contrary, he asserts again that marijuana use leads to narcotics addiction. Despite every indication to the contrary, he tells us that crime is under control because of his administration policies . . .," Neier said.

Drug Abuse

Nixon termed drug abuse "public enemy No. 1 in America" and proposed steps he said "would strike even harder" at the problem.

He cited a federal study in reporting that over 25 percent of the federally convicted narcotics violators are not sentenced to jail. He called the statistics "an outrage."

"When permissive judges are more considerate of the pusher than they are of his victims, there is little incentive for heroin pushers to obey the law, and great incentive for them to violate it," Nixon said.

He said his legislative package will require a minimum five-year prison sentence "for anyone convicted of selling heroin;" a minimum sentence of 10 years to life "for major traffickers in drugs;" and "will require life imprisonment without parole" for those "offenders with a prior conviction for a drug felony."

As for marijuana, Nixon cited recent proposals to remove criminal penalties for its possession and use but declares: "I oppose the legalization of the sale, possession or use of marijuana."

He said his administration hopes that states will take steps to make penalties for the use of marijuana "more uniform, more reasonable."

But, he added, "there must continue to be criminal sanctions against the possession, sale or use of marijuana."