

the President, if only his reputation. And how do you deal with the laws of bill of attainder? How do you deal with the separation of powers? What kind of a precedent are you setting?

We all claim to revere the Constitution, but a censure is something that is a device, a way of avoiding the harsh constitutional option, and it is the only one we have up or down on impeachment. That, of course, is your judgment, and I am offering my views, for what they are worth.

Once in a while I do worry about the future. I wonder if, after this culture war is over, this one we are engaged in, an America will survive that is worth fighting for to defend.

People won't risk their lives for the U.N., or over the Dow Jones averages. But I wonder, in future generations, whether there will be enough vitality left in duty, honor and country to excite our children and grandchildren to defend America.

There is no denying the fact that what you decide will have a profound effect on our culture, as well as on our politics. A failure to convict will make a statement that lying under oath, while unpleasant and to be avoided, is not all that serious. Perhaps we can explain this to those currently in prison for perjury. We have reduced lying under oath to a breach of etiquette, but only if you are the President.

Wherever and whenever you avert your eyes from a wrong, from an injustice, you become a part of the problem.

On the subject of civil rights, it is my belief this issue doesn't belong to anyone; it belongs to everyone. It certainly belongs to those who have suffered invidious discrimination, and one would have to be catatonic not to know that the struggle to keep alive equal protection of the law never ends. The mortal enemy of equal justice is the double standard, and if we permit a double standard, even for the President, we do no favor to the cause of human rights. It has been said that America has nothing to fear from this President on the subject of civil rights. I doubt Paula Jones would subscribe to that endorsement.

If you agree that perjury and obstruction of justice have been committed, and yet you vote down the conviction, you are extending and expanding the boundaries of permissible Presidential conduct. You are saying a perjurer and obstructer of justice can be President, in the face of no less than three precedents for conviction of Federal judges for perjury. You shred those precedents and you raise the most serious questions of whether the President is in fact subject to the law or whether we are beginning a restoration of the divine right of kings. The issues we are concerned with have consequences far into the future because the real damage is not to the individuals involved, but to the American system of justice

and especially the principle that no one is above the law.

Edward Gibbon wrote his magisterial "Decline and Fall of the Roman Empire" in the late 18th century—in fact the first volume was issued in 1776. In his work, he discusses an emperor named Septimius Severus, who died in 211 A.D. after ruling 18 years. And here is what Gibbon wrote about the emperor:

Severus promised, only to betray; he flattered only to ruin; and however he might occasionally bind himself by oaths and treaties, his conscience, obsequious to his interest, always released him from the inconvenient obligation.

I guess those who believe history repeats itself are really onto something. Horace Mann said:

You should be ashamed to die unless you have achieved some victory for humanity.

To the House managers, I say your devotion to duty and the Constitution has set an example that is a victory for humanity. Charles de Gaulle once said that France would not be true to herself unless she was engaged in some great enterprise. That is true of us all. Do we spend our short lives as consumers, space occupiers, clock watchers, as spectators, or in the service of some great enterprise?

I believe, being a Senator, being a Congressman, and struggling with all our might for equal justice for all, is a great enterprise. It is our great enterprise. And to my House managers, your great enterprise was not to speak truth to power, but to shout it. And now let us all take our place in history on the side of honor and, oh, yes: Let right be done.

I yield back my time.

The CHIEF JUSTICE. The Chair recognizes the majority leader.

#### ORDER OF PROCEDURE

Mr. LOTT. Mr. Chief Justice, I believe that concludes the closing arguments. Therefore, the Senate will reconvene as the Court of Impeachment at 1 p.m. on Tuesday to resume consideration of the articles of impeachment.

NOTICE OF INTENT TO SUSPEND THE RULES OF THE SENATE BY SENATORS DASCHLE, LOTT, HUTCHISON, HARKIN, WELLSTONE, COLLINS, SPECTER, AND LEAHY

In accordance to Rule V of the Standing Rules of the Senate, I (for myself, Mr. LOTT, Mrs. HUTCHISON, Mr. HARKIN, Mr. WELLSTONE, Ms. COLLINS, Mr. SPECTER, and Mr. LEAHY) hereby give notice in writing that it is my intention to move to suspend the following portions of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials in regard to any deliberations by Senators on the articles of impeachment during the trial of President William Jefferson Clinton:

(1) The phrase "without debate" in Rule VII;

(2) the following portion of Rule XX: " , unless the Senate shall direct the doors to be closed while deliberating upon its decisions. A motion to close the doors may be acted upon without objection, or, if objection is heard, the motion shall be voted on without

debate by the yeas and nays, which shall be entered on the record"; and

(3) In Rule XXIV, the phrases "without debate", "except when the doors shall be closed for deliberation, and in that case" and " , to be had without debate".

ADJOURNMENT UNTIL 1 P.M. TOMORROW

Mr. LOTT. I ask the Court of Impeachment stand in adjournment until 1 p.m. tomorrow, and I ask further consent the Senate now resume legislative session. I remind all Senators to stand as the Chief Justice departs the Chamber.

There being no objection, at 6:34 p.m. the Senate, sitting as a Court of Impeachment, adjourned until Tuesday, February 9, 1999, at 1 p.m.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER (Mr. ENZI). The Senate will come to order.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT ON THE 1999 NATIONAL DRUG CONTROL STRATEGY—MESSAGE FROM THE PRESIDENT—PM 6

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on the Judiciary.

*To the Congress of the United States:*

On behalf of the American people, I am pleased to transmit the 1999 National Drug Control Strategy to the Congress. This Strategy renews and advances our efforts to counter the threat of drugs—a threat that continues to cost our Nation over 14,000 lives and billions of dollars each year.

There is some encouraging progress in the struggle against drugs. The 1998 *Monitoring the Future* study found that youth drug use has leveled off and in many instances is on the decline—the second straight year of progress after years of steady increases. The study also found a significant strengthening of youth attitudes toward drugs: young people increasingly perceive drug use as a risky and unacceptable behavior. The rate of drug-related murders continues to decline, down from 1,302 in

1992 to 786 in 1997. Overseas, we have witnessed a decline in cocaine production by 325 metric tons in Bolivia and Peru over the last 4 years. Coca cultivation in Peru plunged 56 percent since 1995.

Nevertheless, drugs still exact a tremendous toll on this Nation. In a 10-year period, over 100,000 Americans will die from drug use. The social costs of drug use continue to climb, reaching \$110 billion in 1995, a 64 percent increase since 1990. Much of the economic burden of drug abuse falls on those who do not abuse drugs—American families and their communities. Although we have made progress, much remains to be done.

The 1999 *National Drug Control Strategy* provides a comprehensive balanced approach to move us closer to a drug-free America. This *Strategy* presents a long-term plan to change American attitudes and behavior with regard to illegal drugs. Among the efforts this *Strategy* focuses on are:

—Educating children: studies demonstrate that when our children understand the dangers of drugs, their rates of drug use drop. Through the National Youth Anti-Drug Media Campaign, the Safe and Drug Free Schools Program and other efforts, we will continue to focus on helping our youth reject drugs.

—Decreasing the addicted population: the addicted make up roughly a quarter of all drug users, but consume two-thirds of all drugs in America. Our strategy for reducing the number of addicts focuses on closing the “treatment gap.”

—Breaking the cycle of drugs and crime: numerous studies confirm that the vast majority of prisoners commit their crimes to buy drugs or while under the influence of drugs. To help break this link between crime and drugs, we must promote the Zero Tolerance Drug Supervision initiative to better keep offenders drug- and crime-free. We can do this by helping States and localities to implement tough new systems to drug test, treat, and punish prisoners, parolees, and probationers.

—Securing our borders: the vast majority of drugs consumed in the United States enter this Nation through the Southwest border, Florida, the Gulf States, and other border areas and air and sea ports of entry. The flow of drugs into this Nation violates our sovereignty and brings crime and suffering to our streets and communities. We remain committed to, and will expand, efforts to safeguard our borders from drugs.

—Reducing the supply of drugs: we must reduce the availability of drugs and the ease with which they can be obtained. Our efforts to reduce the supply of drugs must tar-

get both domestic and overseas production of these deadly substances.

Our ability to attain these objectives is dependent upon the collective will of the American people and the strength of our leadership. The progress we have made to date is a credit to Americans of all walks of life—State and local leaders, parents, teachers, coaches, doctors, police officers, and clergy. Many have taken a stand against drugs. These gains also result from the leadership and hard work of many, including Attorney General Reno, Secretary of Health and Human Services Shalala, Secretary of Education Riley, Treasury Secretary Rubin, and Drug Policy Director McCaffrey. I also thank the Congress for their past and future support. If we are to make further progress, we must maintain a bipartisan commitment to the goals of the *Strategy*.

As we enter the new millennium, we are reminded of our common obligation to build and leave for coming generations a stronger Nation. Our *National Drug Control Strategy* will help create a safer, healthier future for all Americans.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 8, 1999.

#### MEASURE PLACED ON THE CALENDAR

The following bill was read the second time and placed on the calendar:

H.R. 99. An act to amend title 49, United States Code, to extend Federal Aviation Administration programs through September 30, 1999, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1591. A communication from the Associate Managing Director for Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Implementation of Section 245(g) of the Communications Act of 1934, as Amended” (Docket 96-61) received on February 5, 1999; to the Committee on Commerce, Science, and Transportation.

EC-1592. A communication from the President and Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, the Bank’s report on a financial guarantee to support the sale of one Boeing 777-200IGW aircraft to Singapore Aircraft Leasing Enterprise Pte. Ltd.; to the Committee on Banking, Housing, and Urban Affairs.

EC-1593. A communication from the Chief of the Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Notice of Certain Transfers to Foreign Partnerships and Foreign Corporations” (RIN1545-AV70) received on February 5, 1999; to the Committee on Finance.

EC-1594. A communication from the Administrator of the Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Tobacco-Importer Assessments” (RIN0560-AF52) received on February 5, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1595. A communication from the Director of the Office of Regulatory Management and Information, transmitting, pursuant to law, the report of a rule entitled “Tebufenozide; Extension of Tolerance for Emergency Exemptions” (FRL6059-8) received on February 5, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1596. A communication from the Director of the Office of Regulatory Management and Information, transmitting, pursuant to law, the report of a rule entitled “Propyzamide; Extension of Tolerance for Emergency Exemptions” (FRL6060-3) received on February 5, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1597. A communication from the Director of the Office of Regulatory Management and Information, transmitting, pursuant to law, the report of a rule entitled “Cymoxanil; Pesticide Tolerance” (FRL6056-4) received on February 5, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1598. A communication from the Director of the Office of Regulatory Management and Information, transmitting, pursuant to law, the report of a rule entitled “3,7-Dichloro-8-quinoline carboxylic acid; Pesticide Tolerances for Emergency Exemptions” (FRL6055-6) received on February 5, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1599. A communication from the Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “West Virginia Regulatory Program” (Docket WV-077-FOR) received on February 5, 1999; to the Committee on Energy and Natural Resources.

EC-1600. A communication from the Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Illinois Regulatory Program” (SPATS No. IL-094-FOR) received on February 5, 1999; to the Committee on Energy and Natural Resources.

EC-1601. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; San Joaquin Valley Unified Air Pollution Control District, Sacramento Metropolitan Air Quality Management District” (FRL6227-2) received on February 5, 1999; to the Committee on Environment and Public Works.

EC-1602. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Emergency Planning and Community Right-to-Know Programs; Amendments to Hazardous Chemical Reporting Thresholds for Gasoline and Diesel Fuel at Retail Gas Stations” (RIN2050-AE58) received on February 5, 1999; to the Committee on Environment and Public Works.

EC-1603. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection