HOUSE OF REPRESENTATIVES—*Wednesday, September 16, 1998*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. UPTON).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 16, 1998.

I hereby designate the Honorable FRED UPTON to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

With the psalmist of biblical times we wish to begin our day by making a joyful noise to You, O God, by serving You with gladness and by coming into Your presence with singing. We know too that there are times when there is no singing, no gladness and our voices are muted with uncertainty. At all the moments of life may we sing the words of Isaac Watts, "O God our help in ages past, our hope for years to come." O God, may Your good spirit of thanksgiving and gladness enter each person's heart and may Your reconciling blessing touch us day by day with peace and mercy and love. In Your name we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New Jersey (Mr. MENENDEZ) come forward and lead the House in the Pledge of Allegiance.

Mr. MENENDEZ led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 1-minutes on each side.

THERE ARE CONSEQUENCES OF FORGIVEN SIN

Mr. SHIMKUS. Mr. Speaker, there have been numerous discussions on God's ability to forgive sin. All sin. Forgiveness through Christ is complete. Absolute.

However, the bible is replete with the consequences of forgiven sin. Follow the children of Israel as they take their 11-day journey to the promised land, only to be turned back, forced to wander for another 40 years. King David's illicit relationship with Bathsheba ended in the death of his child and the challenge to the throne by another child. The thief on the cross asked and received forgiveness, but he still died on the cross for his transgression.

There are consequences of forgiven sin.

SAUDI ARABIA MUST TAKE RESPONSIBILITY FOR THEIR DEBTS

Mr. MENENDEZ. Mr. Speaker, Hill International is a New Jersey company who has sought to resolve a $55 million claim with the Kingdom of Saudi Arabia dating from the 1970s for work performed on a power and desalinization plant.

There is no question that the work was finished, because the plant is in operation today. The issue is whether or not the Kingdom of Saudi Arabia and Prince Bandar will step forward and pay for the services they received.

Now, I come to the floor today, with many of my colleagues, out of sheer frustration. After 3 years of asking, Members have not been able to get a meeting with Prince Bandar. Our government should stand up for U.S. companies and citizens who are economically hurt by foreign countries.

How long will Members of Congress have to wait before we can have a meeting? Prince Bandar and Crown Prince Abdullah will be in Washington in just a few days. I hope that they will honor our long-standing request for a meeting and, more importantly, I hope that Saudi Arabia will meet its obligation to pay for what work was done, as is observed under international rules and law.

Saudi Arabia should pay the claim of this U.S. company who did the work and should be paid.

HILL INTERNATIONAL DESERVES TO BE PAID FOR WORK DONE

Mr. SAXTON. Mr. Speaker, just as the previous speaker, I rise on behalf of one of my constituents, Hill International, a company which has fought for over a decade to collect a debt from the Kingdom of Saudi Arabia. It is an unpaid debt which has been unfairly withheld.

In the early 1980s, a subsidiary of Hill International, Gibbs & Hill, successfully completed a desalinization plant in Yanbu City, Saudi Arabia, yet were never paid the $55 million due them for the work. Despite all the work put in by Members of Congress to encourage the settlement of this claim, and despite repeated promises that the claim would be paid, the kingdom of Saudi Arabia has yet to pay this overdue bill.

I also find it troubling that our own administration has been unable or unwilling to actively assist the U.S. company against a foreign government. Where is the State Department in this fight?

Fifty-five million dollars may seem like spare change to the Saudis, but it means something to Hill International, just as it would any hardworking company of the United States. I rise to say that I will not rest until the debt is paid.

SAUDI ARABIA NEEDS TO RESOLVE U.S. COMPANY'S CLAIM OF UNPAID DEBT

Mr. DEUTSCH. Mr. Speaker, I, too, join my two previous colleagues on the floor this morning, really out of absolute frustration. I came to the House 6 years ago and was involved in trying to help resolve this claim by Hill International with the Saudi Government. And here, for me personally, 6 years later, we are still at that point.

This is the only one of 19 claims filed against the Saudi Government by American companies in the 1980s that still remains unpaid. Over the last 5 years, literally dozens of Members of Congress have vocalized their support for resolution of this final claim but have received nothing but empty promises from Saudi Arabia's Ambassador to the United States, Prince Bandar.

A former member of this chamber, Bill Emerson, in 1995, met with Ambassador Bandar and was asked to broker a compromise agreement to the claim. Despite Representative Emerson's diligent efforts to implement this compromise before his passing, Ambassador Bandar has refused to honor this gentleman's agreement.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Over the last year, Prince Bandar has repeatedly committed to meet with the gentlewoman from Missouri (Mrs. JO ANN EMERSON) in an effort to conclude this matter, but has been unwilling to set a date. How long must this American company continue to wait? We need to get this settlement resolved.

AMERICA NEEDS A NATIONAL MISSILE DEFENSE SYSTEM

Mr. GIBBONS. Mr. Speaker, there are few issues which separate liberals and conservatives in dramatic fashion. Taxes, of course, is one; and crime is another. But defense and national security issues also illustrate two sharply different visions, different world views, which distinguished conservatives from liberals.

Liberals just love arms control agreements. They put almost boundless faith in a piece of paper between America and countries which are hostile to everything we hold dear, and they take great comfort in the ability that these agreements are going to keep America safe.

Conservatives, on the other hand, look at all of human history and are skeptical of such agreements, instead placing stronger and greater faith in a strong and secure defense.

Given these two world views it is time to reexamine our current vulnerability to ballistic missile attack. There is a piece of paper that exists to assure us that America is safe from a ballistic missile attack, but this is deliberate policy of vulnerability to ballistic missile attack and it is both foolish and dangerous.

It is time that conservatives act with prudence and demand that Americans be protected by building a strong national missile defense system.

NEW REPORT INDICATES WHAT U.S. STUDENTS DO NOT KNOW

Mr. TRAFICANT. Mr. Speaker, a new report says that American students just do not know: 70 percent do not know the name of the Vice President; 40 percent do not know the three branches of government; 25 percent do not know what the fifth amendment means; and only 2 percent know the name of the Chief Justice of the United States Supreme Court.

On the other hand, 99 percent know Michael Jordan, 99 percent know Mark McGwire, and 60 percent of American teenagers can cite all three names of the Three Stooges. Is it any wonder American students rank 14th around the world in achievement test scores?

Beam me up, Mr. Speaker. It is a sad day when more teenagers know Monica Lewinsky than Judge Rehnquist. And it is a sadder day when more teenagers know Larry, Moe, and Curly than reading, writing, and arithmetic.

Think about that one.

DOLLARS TO THE CLASSROOM

Mr. WELDON of Florida. Mr. Speaker, we are all concerned about educating our Nation's children. For 30 years the Federal Government has been creating big Federal programs to try to improve education. It has resulted in lower scores and more bureaucracy.

Federal education dollars should go directly to the classroom and to teachers, not to State and Federal education bureaucracies. By passing H.R. 3248, Dollars To The Classroom, we can send these dollars to teachers who know the names of our kids.

The Dollars to the Classroom Act block grants 35 K-through-12 education programs and requires that 95 percent of these funds are made available to kids and teachers in the classroom. Under the Dollars to the Classroom Act, $800 million more will be spent directly on classrooms in America. That is almost $10,000 per school, $425 for each classroom.

Just imagine what our teachers could do with an additional $425 to spend directly on their students' learning each year. Pass Dollars to the Classroom.

AMERICAN PEOPLE SHOULD BE ASKING CONGRESS WHAT THEY ARE NOT DOING

Mr. WISE. Mr. Speaker, there are 37 members of the Committee on the Judiciary, about 8 percent of this Congress. That leaves 398 Members of the House that could be working on some other matters. Yet today, September 16, 2 weeks before the end of the Federal fiscal year, incredibly, there is no budget. Months late.

Over 70 percent of the American public are in some kind of managed care plan, and yet this Congress has not passed a meaningful Patients' Bill of Rights to protect them.

Russia is falling apart, the Asian economy is in the tank, South America is teetering, and every American who has a stock thrift plan has seen their retirement drop 15 to 20 percent in the last few weeks, and yet no congressional action.

The Committee on the Judiciary's job may be to investigate whether something was done, but the American people should be looking at Congress and asking about what is not being done.

USING SOCIAL SECURITY SURPLUS FOR TAX CUTS IS WRONG

Mr. NEUMANN. Mr. Speaker, I rise this morning to talk about a very important issue. I just left a Republican conference, and they talked about a dynamite tax cut bill, and I think most Americans would support this tax cut proposal with the exception of one very important detail: Instead of finding spending reductions so we can reduce spending and reduce taxes, this time, for the first time since I have been here, they are going to use Social Security surpluses for tax cuts.

There is no business in America that would go to their pension fund, take money out of the pension fund, and use it for pay raises. So why does Congress think that they can use Social Security surpluses for tax cuts? This is a totally unreasonable proposal.

I would like to make it very clear that this is different than the 1997 tax cut package. In 1997, we reduced spending and we reduced taxes. That is good. But in 1998, we are about to reduce taxes by utilizing Social Security surpluses that belong put away for the safety and security of Social Security for our senior citizens, and that is wrong.

I conclude this morning by asking the Republican leadership to reconsider asking for a vote that is going to put Members in this Chamber in a position where they have to choose between protecting Social Security for our seniors and cutting taxes for American people, both very good objectives.

SO-CALLED FEDERAL BUDGET SURPLUS IS FUTURE SOCIAL SECURITY TRUST FUND

Mr. DEFAZIO. Mr. Speaker, to follow on the comments of the person preceding me in the well, there will be much fanfare this September about the looming budget surplus, no end of ideas on how to spend these monies. That side of the aisle is going to promote tax cuts, with the exception of the gentleman who spoke before me.

Let us get some facts: 73 percent of the American people pay more in Social Security taxes than income taxes. We all pay this tax, knowing it goes to support our parents, our grandparents, the disabled, and, hopefully, ourselves, when we retire. This year Social Security will have a $90 billion surplus.

Guess what? The so-called Federal budget surplus is the future Social Security trust fund. If we spend it today on tax cuts, it will not be there tomorrow for America's retirees.

We better step back and think about that before we jam this bill through in an attempt to get reelected and be popular in an election year at the cost of the future of Social Security.

THERE IS NO REAL SURPLUS TO GIVE TAX CUTS

Mr. PALLONE. Mr. Speaker, I want to follow up on what the previous speaker said, not only my Republican colleague from Wisconsin, but also my Democratic colleague from Oregon.

Seniors understand, when we talk to them and when we have town meetings, that there is essentially no surplus; that the so-called surplus that we talk about is essentially what is owed to Social Security, and that we have to pay

back a lot of money to the Social Security trust fund over the next 5 or 10 years if we are to have enough benefits to pay out to Social Security recipients.

That is why this Republican tax proposal is really the wrong way to go. What will happen, essentially, is that we will, in fact, increase the debt and, ultimately, may have to raise taxes in order to provide the benefits that Social Security recipients need.

So what I say is we spent a lot of time last year on a bipartisan basis to pass a Balanced Budget Act. We have a balanced budget, but we still have this problem that we have to pay back Social Security. We do not have a surplus. We do not have one to spend.

Let us not, in the few weeks we have here in this Congress, waste our time trying to kid the American people that somehow we are going to give them tax relief. It is not really there to spend.

□ 1015

FEDERAL ROLE IN EDUCATION

Mr. ALLEN. Mr. Speaker, I oppose the so-called Dollars to the Classroom Act which would turn critically important elementary and secondary education programs into one giant block grant.

Republicans want to eliminate 31 programs that work, including the Eisenhower professional development grants, women's educational equality, school-to-work, and gifted and talented education grants.

In the last Congress, Republicans tried to eliminate the Department of Education. Today they are trying to kill any chance of Federal leadership in education. Education is primarily a State and local responsibility. But the President and the Congress must provide national leadership on national issues and no issue is more important than improving education for our kids. Instead of focusing on what works, reducing class size, improving school facilities, raising standards and improving the training of our teachers, the Republicans want to destroy critically important programs. Do not let them succeed. Oppose H.R. 3248.

SOCIAL SECURITY

Ms. STABENOW. Mr. Speaker, Social Security is a 60-year success story that all Americans should be proud of. Prior to Social Security enactment, over 50 percent of our retirees were in poverty. Today it is less than 10 percent. We have an opportunity now to take the next step to protect Social Security for today, for tomorrow, for the future generations to come. But we are in jeopardy this week. We have heard from my colleagues this morning about efforts to take future Social Security trust fund dollars and place them into tax cuts. We last year all voted together, a majority of Republicans and Democrats, to provide a $95 billion tax cut within the context of a balanced budget. I supported that. I want to move forward and continue to do that. But I will not vote for tax cuts that remove critical dollars from the future of Social Security. That is irresponsible. I call upon my colleagues to save Social Security first before any effort is made to proceed on tax cuts. The future of Social Security is just too important to all Americans.

90–10 TAX CUT PLAN

Mr. TIAHRT. Mr. Speaker, the chairman of the Committee on Ways and Means the gentleman from Texas (Mr. ARCHER) has just released a bold new tax cut package for this Congress. It is called the 90–10 tax cut plan. It will improve the health of Social Security and cut taxes.

First we will set aside 90 percent of the surplus, to save Social Security, a surplus that will total about $1.4 trillion, and then we will use 10 percent of the surplus to cut taxes now. It is important to emphasize that we must cut taxes now. Already the liberals have ideas how they want to spend your money. Those who love big government do not think that the middle class ought to have tax relief. In fact they are against the whole idea of tax cuts, always and everywhere.

This tax package contains marriage tax penalty relief, it makes health care more affordable for many of those who cannot get it today, and it gives hard-hit farmers assistance at a difficult time. We were told that we could not balance the budget and cut taxes at the same time, but we did, just as we will save Social Security and cut taxes this time.

SOCIAL SECURITY

Mr. BONIOR. Mr. Speaker, I rise to answer my friend from Kansas if I might for just a second.

Democrats believe America deserves tax relief but the money should not come from the Social Security trust fund.

Now they are going to fool around this week and try to create a separate piece of legislation to bank this money, but the reality is what they want to do, the Republican plan is a sneak attack, it is reckless, it is short-sighted and it is irresponsible. It is a raid on the Social Security trust fund. It spends the so-called surplus that does not exist and it endangers the retirement security of future generations.

We have a clear responsibility. Save Social Security first. We need to strengthen the Social Security system. It is the only sensible and responsible course of action.

I encourage my colleagues to be opposed to anything that will dip in and raid the Social Security surplus in order to provide the program that they are advocating.

WELFARE REFORM

Mr. GUTKNECHT. Mr. Speaker, I have had the chance to visit a number of schools in my district. After one visit, I was surprised by one of the teachers who told me that she appreciated the welfare reform that this Congress passed back in 1996. So I asked her to tell me about that. And she said, well, there was this boy in her class, she said, let us call him Johnny. All of a sudden Johnny started to behave better. He had a better attitude, he was a better student. Everything about Johnny was better. Finally she asked Johnny, "Is there something different at your house?" And Johnny responded, "Yeah, my dad got a job."

Mr. Speaker, a job is more than the way you earn your living. A job helps to define your very life. Despite what some of our liberal friends claim, the real purpose of welfare reform was not so much to save money. It was about saving people. It was about saving families. It was about saving children from one more generation of poverty, dependency and despair. It has certainly made a difference in Johnny's life.

Mr. Speaker, what a difference a Republican Congress has made.

SOCIAL SECURITY

Ms. DELAURO. Mr. Speaker, Social Security, the most successful domestic program in our Nation's history, is under attack. Sadly, this attack is coming from within. It is a sneak attack, coming from the Republican leadership, under the guise of tax cuts. Two-thirds of our country's elderly depend on Social Security for over half of their income. The Republican sneak attack will take $80 billion that we need to shore up the Social Security trust fund. They would rob the Social Security surplus. We cannot allow a sneak attack on Social Security while the Nation is preoccupied. That is what the Republican leadership is hoping for. We cannot let them get away with it.

Democrats support tax cuts, but tax cuts should not come from the Social Security trust fund. Our Nation's elderly depend on Social Security. Our children depend on it. Working families depend on Social Security. The $80 billion sneak attack will hurt all of them.

Mr. Speaker, let us save Social Security first.

STAND FIRM AGAINST TERRORISM

Mr. PITTS. Mr. Speaker, the Administration ought to be commended for taking strong action against Osama

bin Laden and his many followers who are behind the recent terrorist attacks on American embassies in Tanzania and Kenya. Osama bin Laden is a traitor to Islam, and he has betrayed the commandments of his faith.

Chapter VI, verse 151 of the Koran states, "Take not life, which God hath made sacred, except by way of justice and law."

Terrorist attacks on our embassies have taken the lives of hundreds of innocent people, Americans and non-Americans alike. Osama bin Laden, like all terrorists, has engaged in a cowardly act and he does violence to the very religious principles he invokes. He offends the millions of devout followers of Islam who do not believe that the killing of innocent people has any role in a civilized society.

The Administration should stand firm against terrorism and strike back against the cowardly murderers who are a threat to free peoples everywhere.

SOCIAL SECURITY

Mr. MCDERMOTT. Mr. Speaker, when I came to this House 10 years ago, the Republicans spent a lot of time telling us that we used the Social Security money to balance the budget. They said, "You're masking the deficit by moving that money over and using it to balance the budget."

Under President Clinton's leadership, we have brought the budget back into balance and there appears to be some surplus on the horizon. What do the Republicans want to do now? They want to take that money, not pay back Social Security but give it away in tax relief.

Now, when the chairman of the Committee on Ways and Means tomorrow rolls out this three walnuts game that you see at the county fair, where is the pea, the American people are going to watch their Social Security moved around so fast in two different bills, it will be designed to confuse them. They will put out a bill that says we want to put lots of money into balancing the Social Security, and then we just want this little teeny bit out here for a tax cut.

The first money that we have in surplus should go to pay for Social Security.

WE NEED ANTIMISSILE DEFENSE

Mr. CUNNINGHAM. The gentleman fails to remember that it was the Democrats that increased the tax on Social Security in 1993 and it was the Republicans that saved us from dipping out of the trust fund so it would not go bankrupt.

But I am here to talk about the missile that North Korea fired and its importance. Most of the press reports that the missile can reach the United States, some 3,300 miles. That is true. But tactically the THAAD and the Upper Tier, the Upper Tier is the Navy antimissile defense program, THAAD with the Air Force, any time we have a ship, say if South Korea is invaded, we cannot bring our carriers north of Cheju which is on the southern tip. That means they can be hit. Our forces deploy out of Japan and Taiwan. They can be hit there as well. So it is not just the threat of a missile reaching the United States. It can reach all of the ports to where we deploy against any country. That is important. That is another reason why we need antimissile defense.

APPOINTMENT OF CONFEREES ON H.R. 4104, TREASURY, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1999

Mr. KOLBE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4104) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. HOYER. Mr. Speaker, have the conferees been appointed?

The SPEAKER pro tempore (Mr. UPTON). Not quite yet.

Without objection, the Chair appoints the following conferees: Messrs. KOLBE, WOLF and ISTOOK, Mrs. NORTHUP, and Messrs. ADERHOLT, LIVINGSTON, MCDADE and HOYER, Mrs. MEEK of Florida, Mr. PRICE of North Carolina, and Mr. OBEY.

There was no objection.

MOTION TO INSTRUCT CONFEREES OFFERED BY MR. HOYER

Mr. HOYER. Mr. Speaker, I ask unanimous consent to offer a motion to instruct.

The SPEAKER pro tempore. Is there objection to the gentleman from Maryland offering a motion at this time?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. HOYER moves that 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. 4104, be instructed to insist on the House position providing $2,828,000 for forensic and related support of investigations into missing and exploited children.

The SPEAKER pro tempore. The gentleman from Maryland (Mr. HOYER) is recognized for 30 minutes and the gentleman from Arizona (Mr. KOLBE) is recognized for 30 minutes.

Mr. HOYER. Excuse me, Mr. Speaker, I apparently had two motions in my hand. That is the incorrect motion.

Mr. Speaker, I ask unanimous consent to withdraw the incorrect motion and to offer the correct motion.

The SPEAKER pro tempore. The gentleman withdraws the motion. The Clerk will report the second motion.

The Clerk read as follows:

Mr. HOYER moves that 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. 4104, be instructed to insist on the Senate position providing $3,250,000,000 for emergency expenses relating to Year 2000 conversion of Federal information technology systems.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland to offer this motion to instruct?

Mr. KOLBE. Mr. Speaker, I reserve the right to object at this point, under my reservation, Mr. Speaker, we have gone through a little bit of backing and forthing on this motion. I was quite prepared on the last one, which is one that we had had some discussion about, to accept that.

□ 1030

But I am not inclined to accept a unanimous consent agreement on this particular motion. I would be willing to, on the one that was previously offered, to accept a unanimous consent agreement.

Mr. OBEY. Mr. Speaker, would the gentleman yield under his reservation of objection?

Mr. KOLBE. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, before the gentleman reaches that conclusion, I would urge him to consult with the central office of the committee. I have been asked routinely to approve unanimous-consent requests to facilitate the needs of the majority and have given that unanimous consent on numerous instances, sometimes over the objections or at least in the teeth of concern of our own party leadership. We can rapidly have that kind of cooperation come to an end, if that is what the other side prefers.

Mr. KOLBE. Reclaiming my time and further reserving the right to object, I would say to the gentleman from Wisconsin (Mr. OBEY) that I appreciate the assistance that the minority has given in facilitating our consideration of the appropriation bills and the motions to instruct conferees and to get us moving to conference as quick as possible, but I do not think that is the question that we have here. The motion was not made in a timely fashion, it is one that I object to, and it is not one, is not our position, does not represent our position.

Mr. OBEY. Mr. Speaker, will the gentleman continue to yield?

Mr. KOLBE. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I would like to point out that just yesterday I agreed to a motion to roll a number of votes in order to facilitate the Republican conference. The gentleman from Maryland (Mr. HOYER) was in our conference. We have a rather serious issue before this House, and I think it is understandable that people be pulled in different directions. But if procedural cooperation is going to break down on a minor matter like this, we are going to have a terrible time getting to the right conclusion on appropriation bills before October 1.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. KOLBE. Further reserving the right to object, I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I want to say to my friend, the gentleman from Arizona (Mr. KOLBE), with all due respect, obviously I had two papers in front of me, thought I had picked up this motion, and very frankly I want to tell my friend he thought that I was offering the motion there now.

Mr. KOLBE. Reclaiming my time, Mr. Speaker, the gentleman is correct.

Mr. HOYER. And, Mr. Speaker, the gentleman from Arizona did not offer objection. I made a mistake in picking up the wrong piece of paper, having thought the staff had already handed it to the desk, the proper motion. When the incorrect motion, the motion the gentleman and I also discussed, was read, my staff pointed out that I had handed the incorrect paper.

Mr. Speaker, I want to tell my friend I understand his problem. But I also want to tell my friend that we are now cutting a very fine point in terms of knowing full well that I had talked to the gentleman about the motion, I picked up the wrong piece of paper, and I would hope my friend would not put me in a position or the House in a position of an inadvertent picking up of the wrong piece of paper puts us in a position where procedurally we will now be, I think, responding in a way that I think is not going to facilitate the work of the House.

Mr. KOLBE. Mr. Speaker, reclaiming my time under my reservation of objection, the gentleman is correct. Only moments, not even minutes, almost seconds before we began this discussion we got the revised or the new motion to instruct, and it was obviously different than we have been led to believe earlier. And it is true that when the gentleman from Maryland (Mr. HOYER) went down with the piece of paper I did think it was going to be the revised motion to instruct, however I was considering at that moment whether I should object to that. I did not. This gives me another opportunity to at least raise this.

I would like to at least ask either the gentleman from Maryland or the gentleman from Wisconsin about whether or not we would be able, if we are going to use this motion, this revised motion dealing with Y2K, whether we would be able to expedite the discussion on this so that we would not require a lot of time here on the floor this morning.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, although I have not consulted with our ranking member, the gentleman from Wisconsin (Mr. OBEY) I think I speak for Mr. OBEY, and he is here, he can speak for himself obviously, but it is not our intention to debate this at any length. Very frankly, we think this issue is known to the House, known to the Senate, and we believe this ought to be done very quickly.

Am I correct?

Mr. OBEY. Mr. Speaker, will the gentleman continue to yield?

Mr. KOLBE. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I have not even yet seen the motion of the gentleman from Maryland. I trust his judgment on it, and I understand the thrust of it, and I agree with it. But there are some other fairly important issues that all of us have to tend to these days, and I think we all need to give each other a little bit of running room on these questions.

Mr. KOLBE. Mr. Speaker, I would agree with that, and I think that is what I want to accommodate and I am trying to accommodate here, and if there is an understanding that we can expedite this discussion making, and we had a full discussion on this, I might add, on the floor during the debate on the bill on this exact issue, and if we can understand that there would not be the gentleman's suggestions of other procedural road blocks being thrown up at this point, then I would withdraw my objection if that is agreeable with both sides.

Does that understanding conform to the gentleman from Wisconsin as well?

Mr. OBEY. Yes, and I appreciate the gentleman's removal of his objection.

Mr. KOLBE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. UPTON). Is there objection to the request of the gentleman from Arizona?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the motion to instruct offered by the gentleman from Maryland (Mr. HOYER).

The Clerk read as follows:

Mr. HOYER moves that the managers on the part of the House at the Conference on the disagreeing votes of the two houses on the amendment of the Senate to the bill H.R. 4104 be instructed to insist on the Senate position providing $3,250,000,000 for emergency expenses relating to Year 2000 conversion of Federal information technology systems.

The SPEAKER pro tempore. The gentleman from Maryland (Mr. HOYER) will be recognized for 30 minutes and the gentleman from Arizona (Mr. KOLBE) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I again want to thank the gentleman from Arizona (Mr. KOLBE) for his consideration. Frankly, I did not stand up in time, we all know that, and that was my fault. But the issue that has been raised is a serious one. The gentleman is correct, we have discussed it at length. There is an emergency situation as it relates to making sure that in the year 2000 that our computers in the Federal Government whether they be FAA comptrollers or whatever else they may be, are ready to make that transition from this century to the next. The Senate has obviously tried to accommodate that and ensure that both the Defense Department and all other departments of government have sufficient resources to accomplish that objective. We believe the Senate was correct, and we would urge the House to agree with the Senate's position and so instruct the conferees.

Mr. Speaker, I thank the gentleman from Arizona (Mr. KOLBE).

Mr. Speaker, I reserve the balance of my time.

GENERAL LEAVE

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the motion to instruct and that I might include tabular and extraneous materials.

The SPEAKER pro tempore. Is there objection to the request of the.

There was no objection.

Mr. KOLBE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just say that this issue was completely debated on the floor of the House when our bill was considered in July. It is, as the gentleman from Maryland (Mr. HOYER) has suggested, an extraordinarily important issue. When we say "Y2K" we are talking about the transition of our electronic and computer systems to the new millennium. We have shortened that terminology to an acronym, Y2K. I tell you this so that those who are listening or reading this debate at a later time might understand what we mean when we say "Y2K".

There is no question that the debate over how we handle Y2K is extraordinarily important. It is also a difficult issue for the Federal Government and for the private sector. I think that we have much on our side to commend itself. The United States is probably well ahead of where many other countries are. We are behind in government efforts compared to the private sector, particularly the banking industry. But we are ahead of the efforts of other governments.

On the other hand, we get constant revisions in the amount of money that is going to be required for this program. Let me just review for my colleagues the estimates the Office of Management and Budget, which has the overall responsibility for this problem. Here is what they have estimated, going back, not very far, to May of last year. In their first quarterly report in May of 1997 they said the fix was going to take about $2.8 billion. They revised that the next quarter, in August, to $3.8 billion; that was an increase of 1 billion. They revised that in the third quarter, in November, to 3.9 billion; that was an increase of only $100 million. They revised it in the fourth quarter to $4.7 billion, an increase of 800 million. They revised that in the fifth quarterly report, in May of this year, to $5 billion. Now we saw an increase of another $300 million. And now we have in this sixth quarterly report an estimate of $5.6 billion, another $460 million increase.

And so, Mr. Speaker, I would just point out that we have a lot of money that is involved in this issue. What we have decided, what the Republican leadership has decided, I think wisely so, is to include this with all of the other issues dealing with emergency supplemental appropriations. I know the gentleman from Maryland was with us yesterday when the Members of the House Committee on Appropriations listened to the State Department talk about the requirements for embassy security. So, we have funds for embassy security facing us as an emergency supplemental. Then, we also have farm aid as a possible emergency appropriations, we have Bosnia, and then we have the Y2K. So all of these issues are clearly going to have to be dealt with before this Congress adjourns, before the 105th Congress becomes history.

We have begun those discussions with the Senate, with our counterparts in the Senate at the subcommittee level. Discussions are occurring at the chairmanship level, and it is happening at the leadership level. We know this matter must be dealt with. We recognize it is something that must be dealt with, but we also believe that it ought to be dealt with in an emergency supplemental that is separate from this appropriation bill so that we can look at these issues separately.

So I would just urge my colleagues to defeat this motion with a full understanding that none of us, none of us, are making light of the seriousness of this matter. Indeed some of us have made it very clear that we believe the Office of Management and Budget and the White House has not given this matter the consideration that it deserves, and we have been urging them to give it more attention.

But I do not believe that this motion to instruct helps us to move along the path where we need to get in order to have a resolution of this issue.

Mr. Speaker, I reserve the balance of my time.

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think the chairman has articulated the issue very well. I explained it as well. The reason this motion is being offered at this time, however, is fairly straightforward.

The reason is that we had this debate in July. That is now some 2 months ago, 60 days ago. We were told that this matter was going to be resolved and that agencies would have appropriately the expectation they would have sufficient resources to meet this challenge.

I tell my friend that this is not solved. The Senate has tried to solve it, but we have not solved it on this side, and we are 60 days later, some 2½ weeks or 3 weeks with I guess about 12 legislative days left in this session supposedly, at least until we adjourn subject, perhaps, to the call of the Chair. We are only a few short legislative days from adjournment.

This matter must be resolved. We must address it. The Committee on Appropriations, the gentleman's subcommittee, Mr. Speaker, and the full committee recommended that we resolve it in exactly the way that the Senate has proposed. Exactly. It is my understanding the Republican leadership, the chairman of our committee and our subcommittee took this action. This is exactly what we proposed.

Now I say to my friend, the gentleman from Arizona, A, I appreciate his allowing us to move forward on this issue, but B, that it is time for us to ensure that this objective is accomplished. If it is not, the losers will be the American public, and the reason we have offered this motion is because contrary to the intention that I think was a good-faith intention expressed by the majority leader on the floor that this would be resolved before the August break, it was not, and we must resolve it.

I would hope the Members of this House, therefore, would approve this motion and that in committee and in conference, Mr. Speaker, we could exceed to the Senate position, which is, I believe, the responsible position to meet this emergency.

□ 1045

Mr. Speaker, I reserve the balance of my time.

Mr. KOLBE. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GUTKNECHT). The gentleman from Maryland (Mr. HOYER) has the right to close.

Mr. HOYER. Mr. Speaker, I think I just did, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Maryland (Mr. HOYER).

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

WESTERN HEMISPHERE DRUG ELIMINATION ACT

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 537 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 537

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4300) to support enhanced drug interdiction efforts in the major transit countries and support a comprehensive supply eradication and crop substitution program in source countries. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by Representative Hastert of Illinois, and a Member opposed to the bill. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed three hours. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 6 of rule XXIII. That amendment in the nature of a substitute shall be considered as read. Points of order against that amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI are waived. During consideration of the bill for amendments, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instruction.

The SPEAKER pro tempore. The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, the rule makes in order as an original bill for the purpose of amendment, the amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD and numbered 1, and considers it as read.

The rule waives clause 7 of rule XVI, prohibiting nongermane amendments, against the amendment in the nature of a substitute.

Yesterday, the Committee on Rules met and granted a modified open rule for H.R. 4300, the Western Hemisphere Drug Elimination Act.

The rule provides for 1 hour of general debate equally divided between the gentleman from Illinois (Mr. HASTERT) or his designee, and a Member opposed to the bill. The rule provides a 3-hour time limit on the amendment process.

The rule permits the Chair to accord priority and recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD and considers them as read.

The rule allows the Chair to postpone recorded votes and reduce to 5 minutes the minimum time for electronic voting on any postponed votes, provided voting time on the first series of questions shall not be less than 15 minutes.

Finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, teenage drug use in this country is now a national crisis. Since 1993, drug use among teenagers has doubled in the United States. Among high school seniors, marijuana use is up 80 percent, cocaine use is up 80 percent, and heroin use is up 100 percent. It is time our country made this drug crisis a national priority. As the mayor of Charlotte, North Carolina, I attended far too many funerals for children who were killed by drug violence. I do not want to attend another one.

This week, we will continue this Congress's serious campaign to win the war on drugs. We have committed to win this drug war in 4 years, like we won World War II in 4 years. This week, we will consider several pieces of legislation to both reduce the domestic demand for drugs and to stop the flow of drugs into the country.

The Western Hemisphere Drug Elimination Act will beef up our drug interdiction efforts by providing for the purchase of additional planes and ships to stop drugs at the borders. In addition, the bill provides anti-drug assistance to the Governments of Colombia, Peru, Bolivia, and Mexico. If they have our help, they have been proven to do a good job in giving the support necessary to stop those drugs from leaving their country.

H.R. 4300 is a good, noncontroversial bill. It will reduce the supply of drugs in America, it will drive up the price, making it harder for teenagers to buy.

Mr. Speaker, I urge my colleagues to support this rule and support the underlying legislation. This is an open rule with a generous time cap on amendments.

Mr. Speaker, I would like to enter into the RECORD a statement of the gentleman from California (Mr. MCCOLLUM), who is also very active in this work.

Mr. Speaker, this is the statement of the gentleman from Florida (Mr. MCCOLLUM):

Mr. Chairman and members of the Committee,

he is speaking regarding a bill introduced by he and his colleagues on the Speaker's Task Force for a Drug-Free America.

The purpose of H.R. 4300 is to supply a comprehensive supply eradication and crop substitution program in the narcotics source countries of Colombia, Peru and Bolivia, as well as to fund enhanced drug interdiction efforts in the transit countries in the Caribbean, Central and South America.

H.R. 4300 was introduced on July 22 of 1998. It was referred to the Committee on International Relations; in addition, the bill was referred to the Committees on Ways and Means, Judiciary, National Security, and Transportation. The respective chairmen of all of these committees, as well as the chairman of the Agriculture Committee, have sent waiver letters to the Speaker on H.R. 4300. Substantial efforts have been made in developing H.R. 4300 with the full and informed participation of committee staff from each of the six affected committees, as well as the Task Force for a Drug Free America led by Chairman Hastert.

The Congressional Budget Office has conducted a preliminary assessment in coordination with the House Budget Committee and has determined that there are no pay-as-you-go issues contained within H.R. 4300. We expect a full written assessment from CBO on the costs associated with the bill by the end of the week.

Some of the major provisions of H.R. 4300:

It provides approximately $2.3 billion through the fiscal years of 1999, 2000 and 2001.

It significantly expands U.S. aircraft, maritime and radar coverage and operations in drug source and transit zones.

It substantially enhances the counternarcotics capabilities of the Customs Service, the Coast Guard and the DEA in terms of personnel, equipment and training.

It funds increased drug eradication assistance to Colombia, Peru, Bolivia and Mexico.

It funds increased drug interdiction assistance to Brazil, Colombia, Bolivia, Peru, Ecuador, the Caribbean and Central America.

It encourages the use of new technologies to detect narcotics in transit and to destroy coca and opium poppy in the source zones.

It funds alternative crop development in Colombia, Peru and Bolivia.

It supports the establishment of international law enforcement academies for Latin America and the Caribbean, Asia and Africa under the auspices of the Justice Department.

It supports the establishment of an international maritime law enforcement training center under the auspices of the Coast Guard and the Customs Service.

It advocates a new prioritization for the Defense Department to treat international drug interdiction to be as important as peacekeeping.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I want to thank my colleague, the gentlewoman from North Carolina (Mrs. MYRICK) for yielding me the time, and I yield myself such time as I may consume.

This resolution 537 is a modified, open rule. As my colleague from North Carolina has described, this rule provides for 1 hour of general debate to be equally divided and controlled by the gentleman from Illinois (Mr. HASTERT) or his designee and a Member opposed to the bill.

Under this rule, amendments will be allowed under the 5-minute rule, which is the normal amending process in the House. However, the amendment process is limited to a 3-hour limit.

Mr. Speaker, illegal drug use is widely considered to be a major problem in our country. More than 11 million Americans buy illegal drugs and use them more than once a month. These drugs contribute to crime, lower productivity, and health problems.

This bill authorizes $2.3 billion over 3 years for equipment, personnel, and training to reduce the flow of illegal drugs into the United States.

This bill spends money to buy aircraft for the U.S. Customs Air Wing and for helicopters for the Colombian National Police. The bill also spends money to establish an air base to support U.S. counternarcotics operations and for international law enforcement academies.

Mr. Speaker, I join my colleagues on both sides of the aisle in supporting the war against drugs, and I hope that this bill will make a meaningful contribution. However, I believe that this legislation would have been improved if it had gone through the normal committee process, and though it was referred to five different committees, none held hearings, received formal administration comment, issued a report, or even received a cost estimate from the Congressional Budget Office on this bill.

Had hearings been held, a number of issues might have been raised, such as: Could some of the money end up supporting foreign military forces accused of human rights abuses? Was the bill fully coordinated with existing Federal anti-drug programs? Where will the money come from to pay for these new programs?

Mr. Speaker, these are serious questions, and I would be more comfortable if they were addressed through the normal committee process, considering the enormous amount of money that

we are spending. At least under the rule, Members will have 3 hours to raise these and any other issues that are important to them and to their constituents.

Mr. Speaker, I reserve the balance of my time.

□ 1100

Mrs. MYRICK. Mr. Speaker, I yield so much time as he may consume to the gentleman from Illinois (Mr. HASTERT), who is the head of the Speaker's drug task force for a drug-free America.

Mr. HASTERT. Mr. Speaker, I thank the gentlewoman from North Carolina and certainly the gentleman from Ohio who are bringing this rule to the House floor.

Mr. Speaker, this process was kind of complicated. We crossed the jurisdictions of about six different committees. There have been years of various testimony in hearings that have gone on over the last 3 years that I have been involved in this issue.

Certainly there have been multiple visits to sites, in this case, in this bill, south of our border in places like Mexico and Colombia and Peru and Bolivia and other areas such as Puerto Rico and the Bahamas and other areas, even in Europe as we see drugs being moved across and actually traded by terrorists across the Middle East and also finding their way into our markets.

It is a very complex thing. It is a lot of work by the FBI and the DEA and other law enforcement agencies. The people who do the work beyond our borders are Americans who give up their time and are away from families to fight the scourge of drugs in this country.

When you start to look at the whole issue of cutting off supply, which is really in harmony with the whole issue of demand reduction, we have to have both sides of the equation, try to stop demand, and we are going to debate that bill later on today, but to cut off supply is really cost effective. You can stop supply in places like Colombia and Bolivia and Peru and Afghanistan and even places like Myanmar.

Certainly it is the cost effective and the most effective way you can do it and least expensive. It goes back to the old adage of an ounce of prevention is certainly worth a pound of cure. I think we tried to do that for this bill.

This is an open rule. People have the time to be able to debate this and bring their ideas to the floor, and I certainly welcome it. I appreciate the gentleman from Ohio and certainly the gentlewoman from North Carolina in bringing this rule to the floor.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, let me say I take a back seat to no one on the issue of drug control. I support all serious initiatives to rid our country in the hemisphere of the scourge of illegal drug trafficking and drug use.

I rise, however, as the ranking minority member of the House Committee on National Security to express grave reservations over the process, over the process under which this important bill is being considered. But I also consider myself a jealous guardian of the process and the rights and responsibilities of the Members of our institution as well as the committees they are on.

This bill has major and far-reaching national and international implications, along with a staggering $2.3 billion price tag. Yet, incredibly, House committee consideration has been totally eliminated from the process in which the bill is being brought to this floor.

No fewer than five committees, unfortunately, waive their jurisdiction over elements of the bill; and I for one would like to go on record as saying that this is an incredibly dangerous precedent to set here in the House.

My colleagues with whom I am privileged to serve on the House Committee on National Security on both sides of the aisle have made it their serious and thoughtful business to develop an expertise in matters of defense policy, including drug policy.

The same can be said of the expertise of other committee members in their areas of jurisdiction. We have a right and we have a responsibility to use the expertise in the careful consideration of any legislation which is referred to our committee, especially one so far-reaching as this bill.

The Chairman of the Committee on National Security, my good friend, my colleague, the gentleman from South Carolina (Mr. SPENCE) has made his reservation known to the Speaker by letter, and I thank him for that. But the waiver, nevertheless, has been granted, and now we usher in a process by which a task force is being formed and laid in the legislative cycle which circumvents all committees of jurisdiction and brings a major initiative to the floor.

There is no reason to believe that this will not occur again and more often in the future as the process succeeds today. As ranking member of my committee, I am greatly concerned that legislative consideration by task forces instead of by committees which has expertise in various areas on comprehensive measures will begin to supersede the normal process and degrade the purpose of service on our respective committees.

Mrs. MYRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, during the past 2 years, there have been numerous hearings on significant opponents of H.R. 4300 in each of the committees of referral: the Committee on the Judiciary, Committee on International Relations, Committee on National Security, Committee on Ways and Means, Committee on Transportation and Infrastructure, as well as the Committee on Government Reform and Oversight.

I would just like to mention that, in the full Committee on International Relations in February of 1998, there was a hearing on U.S. narcotics policy to Colombia. March 31 of 1998, there was also another hearing on U.S. narcotics policy to Colombia; June 24 on Colombia and heroin. March 26, 1998, there was a markup, and it was for providing three Black Hawk utility helicopters to the Colombian national police to fight the war on drugs.

The GAO issued a report in February of 1998, drug control U.S. counternarcotics efforts in Colombia face continuing challenges. Then the Subcommittee on the Western Hemisphere on drug issues had two hearings, one in July of 1997 on antidrug efforts in the Americas and one August 6, 1998, which was a Colombia insurgency hearing.

So there have been hearings in these various committees, and it has had that hearing process adequately applied.

Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I, too, share the reservations of the gentleman from Missouri about interrupting the normal committee process with a major new initiative. However, the normal committee process, in my judgment, was a part of this task force from start to finish.

As chairman of the Subcommittee on The Coast Guard and Maritime Transportation, over the last almost 2 years, we have held several subcommittee hearings on the Coast Guard's ability to work with other agencies with the Defense Department, even with other countries to figure out a plan to interdict drugs coming into the Caribbean area, the Eastern Pacific, and the United States. I think what we have done is create a plan that needs to move forward. We can interdict drugs on the high seas.

At this point, I am convinced, this might sound astounding, but I am convinced that we as a country by about the year 2005 or 2006 can interdict 80 percent of the illegal drugs coming into this country across the high seas. It is possible to do that. We have the technology, the will, the initiative, and this is the first step in that direction. So I urge my colleagues to vote "aye" on this rule.

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. GILCHREST). Pursuant to House Resolution 537 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4300.

□ 1110

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4300) to support enhanced drug interdiction efforts in the major transit countries and support a comprehensive supply eradication and crop substitution program in source countries, with Mr. GUTKNECHT in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Illinois (Mr. HASTERT) and the gentleman from New Jersey (Mr. MENENDEZ) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HASTERT).

Mr. HASTERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill is one part of the solution to the most insidious national security threat that we as a Nation face today. International drug trafficking is rampant across our borders, and unfortunately this does not affect our borders. It affects our street corners. It affects our neighborhoods. It affects our communities. It affects our children. It affects people in our workplaces. It affects people in our highways and our schools.

This bill is dedicated certainly to the 14,218 Americans, most of them are youth, who died last year directly from drugs and drug violence.

This bill aims to shut down drug growers and drug processors in places like Colombia, Bolivia, Peru, Mexico and Myanmar. Over the past 5 years, first-time use of heroin by kids ages 12 to 17 rose by 875 percent, an 875 percent increase. That means for every one child who tried heroin in 1992, more than 8 children tried it in 1997. That kind of explosion in drug use, in heroin, methamphetamine, marijuana and cocaine, is intolerable. It is immoral, destructive and fundamentally un-American. Worst of all, it is a tragedy of our own making.

Deep cuts, billions of dollars in cuts, are the hallmark in the early part of this administration. In 1993 alone, the White House slashed a billion dollars from drug interdiction programs. Today, our children, in their schools, on playgrounds, in after-school environments, are reaping the deadly harvest of those ill-advised cuts. This nation is awash in these poisons.

This bill does not solve the whole problem. A second major drug bill that will be up today, a prevention bill, focusing on drug prevention and treatment, is also a key to having long-term success in stopping drugs in this country and actually moving toward a drug-free America.

This bill, H.R. 4300, is the blueprint for reasserting U.S. dominance over drug traffickers and permanently shutting down the international drug trafficking cartels.

In summary, the sections of this supply-reduction bill do the following: They reduce drug use by enhancing aircraft, maritime and radar coverage in the source and transit zones by providing aircraft for the Customs Service; aircraft and ships for the Coast Guard; and by improving relocatable-over-the-horizon radar capabilities, especially in the Mediterranean and southeastern Pacific area.

This bill enhances the source country eradication capabilities by providing sorely needed aircraft to the Colombian National Police, as well as additional resources for Peru, Bolivia and Mexico. It enhances alternative development programs through the United States Agency for International Development for Colombia, Peru and Bolivia, and it also enhances counternarcotics research efforts at the Department of Agriculture.

International law enforcement training is enhanced by establishing international law enforcement training centers serving Latin America, Asia and Africa. Additionally, it provides for a United States Coast Guard international maritime training vessel to enhance law enforcement training and maintenance in the Latin American and Caribbean nations. The training provided under this bill is designed to foster cooperation under international law enforcement agencies which in turn will create more efficient counternarcotics efforts and intelligence in the regions.

□ 1115

Moreover, this bill also requires the submission of a report examining options on replacing Howard Air Force Base in Panama for use and support of counternarcotics in the source and transit zones.

This bill has been carefully drafted to address the shortfalls in the current counterdrug efforts. This is an important piece of legislation that will enable our law enforcement agencies to meet head on the surge of drugs flowing into the country and into our neighborhoods.

Mr. Chairman, I am proud to serve as an original cosponsor on this piece of legislation, and I commend my colleagues on their hard work in drafting this bill. Most specifically, I commend the work of the gentleman from Florida (Mr. MCCOLLUM) and the gentleman from Florida (Mr. GOSS) in this area of trying to stop drugs flowing into our country and across our borders.

Mr. Chairman, one of the things we face today is a huge cost to our society, a cost in dollars. Almost $50 billion a year going off our street corners and school yards into the pockets of drug salesmen. That money flows through a system and ends up in the pockets of drug lords in other countries. We need to stop that. But we need to stop it by stopping the drugs moving into our country.

Certainly, if we can stop a pound of coca in Peru or a kilo of heroin on the mountain tops in Colombia, it is much more cost-effective and certainly proves the old adage of an ounce of prevention is worth a pound of cure. This is the design of this bill, to save the lives of those 14,000 kids who die over year on our street corners, the $90 billion of cost to our communities, our States, and this Nation to adjudicate and incarcerate, and all of those things that we have to do in the drug process.

This bill cuts across the jurisdictions of seven committees. It is a huge, holistic approach in trying to stop drugs coming across our border. It is time that we do this. It is important to do this, and it is probably one of the biggest threats to our national security.

Mr. Chairman, let me leave my colleagues with this one thought. If we lost 14,000 young men and women to an action by Saddam Hussein, if we lost 14,000 young men and women to an action in Bosnia or some place else on the face of the earth, this country would respond and would respond with all the vitality and all the vigor and all the energy that we could muster.

Well, we have lost 14,000 kids last year and every year and will in the years in the future. We need to stop it. We need to be strong. We need to address it, and this bill addresses part of that problem.

Mr. Chairman, I reserve the balance of my time.

Mr. MENENDEZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of H.R. 4300, the Western Hemisphere Drug Elimination Act. However, I want to caveat my support by noting my deep regret and the frustration with this measure in that it circumvented the committee process, including the Committee on International Relations on which I sit, and the four other committees to which it was referred.

All five ranking Democrats requested consideration and made clear that they were willing to work expeditiously in order to see H.R. 4300 reach the floor. These requests were ignored.

We have reached out to the majority over the last 2 years to work out a bipartisan policy that has received meaningful input from General McCaffrey. I do not understand why the majority

did not work with us over the last 2 years to pass a bill and why it has sprung it on us in the last minute. By using this approach, our ability to get the funding to fulfill the promises in this bill is seriously diminished.

So, what we have before us is a rushed measure that makes many important policy changes and funding allocations with regard to a key U.S. national interest, sending it to the House Floor without consideration by the committees of jurisdiction. We have a bill that provides a highly detailed blueprint for equipping and training a number of countries, for establishing counterdrug centers and significantly revamping the process for making policy and assistance decisions in the counternarcotics area, but the legislative committees have been entirely bypassed in making these important decisions.

Second, the open attacks on the administration in the findings section are, I believe, intentionally incendiary and unhelpful. Our counternarcotics policy is something to be taken seriously. It is irresponsible to play partisan politics with such an important issue. All Members of Congress, Republican and Democratic alike, share the desire to rid the plague of narcotics from our schools and streets. This is not a way to conduct U.S. foreign policy or U.S. drug policy. Some may believe it is good politics, but it does not serve the American people well.

Mr. Chairman, on the substance of the bill, having spoken about process, I want to say that I have long said that we needed to get serious about what we continuously call a war on drugs. In essence, to put our money where our mouth is. This bill does make an important step in that direction.

The bill authorizes extraordinary amounts for counternarcotics programs. The bill provides unprecedented funds for drug interdiction and eradication, including enhanced air and seacraft coverage to combat drug transiting, crop substitution, which is crucial to the long term success of any policy, and enhanced international law and drug enforcement training.

I would like to note that I find it unfortunate that we have to spend $10 million for research into mycoherbicides when a potent and reliable source exists, Tebuthiuron, better known in the United States as Round-Up. I learned of this product and its effectiveness on coca crops in Colombia last year touring those areas of crop elimination and saw the success of. Yet it turns out that Tebuthiuron's producer, DowElanco, has refused to sell it to Colombia or make it available to the State Department for drug eradication for reasons I do not believe are particularly valid.

My sole reservations about this bill, other than process, are whether it is implementable and where we will be taking the funds from to fund this $2.3 billion measure. I certainly hope that in the process of doing so, that remind ourselves that we cannot bankrupt those domestic programs geared to reducing drug demand at the same time that we seek to do interdiction. This is clearly an effort that needs to have various aspects to it to be successful: Interdiction, reducing demand, and dealing with education and drug treatment.

Mr. Chairman, while I have some concerns with the bill, I fully agree with the sentiments and with the goals behind it. We must be aggressive in working to shut off the supply of illegal drugs. Supply reduction is an important component of a comprehensive drug policy and demand reduction.

In addition to the measures taken in this bill, we need to enhance our domestic efforts on reducing drug addiction and fund programs to provide children with alternatives to a potential life of crime, such as some of our after-school programs, and we need our partners in the Western Hemisphere to join with us in a meaningful assistance.

I am a strong supporter of working with and supporting professional, honest, and effective law enforcement forces throughout the hemisphere. We must give the President the tools that he needs to effectively and comprehensively address illegal drugs and the havoc drugs wreak in the community, in the United States, and throughout this hemisphere.

Mr. Chairman, for these reasons I intend to vote for the bill. I hope to work to improve it as it moves through the legislative process so that this bill will serve as a realistic, effective, and comprehensive blueprint for U.S. supply reduction efforts.

Mr. Chairman, I submit for inclusion into the RECORD the statement of the administration's position which we received only moments ago, which basically says it supports the objective of the bill but has a series of concerns with reference to the bill and unless those concerns are addressed, opposes the bill as currently drafted.

OFFICE OF MANAGEMENT AND BUDGET
Washington, DC, September 16, 1998.

STATEMENT OF ADMINISTRATION POLICY

(THIS STATEMENT HAS BEEN COORDINATED BY OMB WITH THE CONCERNED AGENCIES.)

H.R. 4300—Western Hemisphere Drug Elimination Act.

The Administration supports the objectives of H.R. 4300 and shares the Congress' commitment to reducing the supply of drugs coming into the United States from other countries in the Western Hemisphere. However, the Administration opposes H.R. 4300 as currently drafted. Some of the Administration's concerns include:

Funding enhancements that are not tied to a coherent strategy. The bill simply enumerates a series of specific procurement and funding actions without indicating how they relate to one another or to existing drug interdiction activities. The Administration has proposed a comprehensive and integrated approach to reducing the flow of drugs into the Untied States in its National Drug Control Strategy.

Proposing authorizations that are far in excess of expected appropriations and the President's Budget without specifying where these funds will come from. H.R. 4300 would authorize $2.6 billion to appropriations in addition to those already authorized for FYs 1999–2001. To date, Congress has not appropriated funds for many of the Administration's anti-drug abuse requests. As one example, the House has provided the Coast Guard with approximately $82 million less than requested for FY 1999 to maintain current operating levels.

Infringing on the authority of the President and the Secretary of State. H.R. 4300 would infringe on the President's appointment powers and the Secretary of State's flexibility in personnel matters and intrude upon well established procedures for providing foreign military assistance.

Suggesting the transfer of the Bureau of International Narcotics and Law Enforcement Affairs (INL) from the State Department to the Drug Enforcement Administration. The clear assumption of Section 207 is that certain foreign assistance activities of the State Department could be better carried out by a law enforcement agency. This assumption is neither substantiated nor soundly based. INL is a central and highly-regarded component of the interagency counter-narcotics effort.

Imposing inflexible requirements that could quickly become useless. The bill would authorize funds for two mobile x-ray machines to be placed along a specific highway in Bolivia. The locations of such machines should not be specified by statute but left to the discretion of the commanders on the ground.

Reducing the effectiveness of law enforcement agencies by consolidating joint interagency task forces (JIATF). Consolidating all JIATFs would reduce Defense Department support to law enforcement agencies attempting to disrupt the flow of drugs from Asia and the Southwest Border.

The Administration looks forward to working with the Congress to implement a drug control strategy that is realistic, comprehensive, coherent, and flexible.

Mr. Chairman, I reserve the balance of my time.

Mr. HASTERT. Mr. Chairman, I yield 10 minutes to the gentleman from Florida (Mr. MCCOLLUM), a Member who has taken a great deal of time and effort and skill in helping put together this legislation.

Mr. MCCOLLUM. Mr. Chairman, I thank the gentleman from Illinois (Mr. HASTERT) for yielding me this time. I first want to thank the gentleman for all the work that he has done in the drug task force and helping put together a comprehensive plan on both the demand and the supply side questions involved.

Mr. Chairman, we all are concerned about the question of how do we get this whole drug question in the United States under control. It is not a simple matter. It is demand and supply. It is treatment. It is prevention. It is all of those things we talk about.

But the fact of the matter is that we have doubled the teen drug use in the United States since 1992 over the last 6 years. Doubled it. The fact of the matter is there is more cocaine and heroin on the streets of this country today at

cheaper prices than at any time in our history.

The fact of the matter today is that we have our law enforcement community domestically, and we have our people in our schools and in our communities who are working on drug prevention and drug treatment programs, overwhelmed by this supply of cocaine and heroin and unable to do the kind of job that we need to see done to get our kids' lives protected again.

The reason for that is manyfold. If we look into the Pacific Ocean of the United States, off our coast, and off the coast of Mexico, between the Colombia and us in the eastern Pacific, there is not one plane or one ship today of the United States Government out there interdicting any drugs coming our way or going to Mexico. Not one.

In the area of the Caribbean and the Gulf of Mexico we have two-thirds less resources at work trying to see if there is somebody shipping drugs our way from Latin America than we did 6 or 7 years ago. It is absolutely a tragedy that this is the case and we have to ask ourselves why are we in this sorry state of affairs.

Well, the reasons are multiple. First of all, our military, which has a primary responsibility it should be exercising to be involved in the drug war, is doing a de minimus job of that. Back several years ago when we were actively patrolling, interdicting drugs in the corridors coming our way from Bolivia, Colombia, and Peru, we had multiple ships and planes of the Army and Navy and Air Force out there with a lot of their effort going into interdiction.

In the intervening year, with Desert Storm and Bosnia and other things, our military has sort of disappeared. Customs has taken planes it had down in the area of the source countries in Colombia, Bolivia, and Peru and put them on the Mexican border and things are not working well.

We also have a lack of will in many ways to do this right. This bill is setting the record straight, because if we look into the countries where this is happening, where these crops are being grown, where this evil product is being produced, and talk to the people on the ground who work for our government fighting the drug effort, talk to the people with the DEA, with the Department of State, with the Department of Defense, with our CIA, with everybody who is involved, we will find out they were never tasked with a question or two about how they could, if they were asked, go about reducing the flow of drugs to the United States by, say, 80 percent, which this bill suggests by the next 3 years.

Mr. Chairman, they were never even asked if this could be done. Some of us went down a few months ago and we asked that question. We asked first of all, could they, if they were given all the resources that they could imagine, could they reduce the flow of cocaine and heroin coming out of this country, the country they are in today serving the United States and its people, could they reduce it by 80 percent within 3 years? The answer was unanimously, by all of the key players in country, yes. Unequivocally, yes.

Then we asked them whether they had ever been tasked, whether anybody ever asked them to develop a plan, the answer was no. Well, we asked them what would they do, and that is what is in this bill, H.R. 4300. What our people on the ground in those countries have told us they need.

First of all, they told us that President Fujimori has done a wonderful job in Peru, which he has, in a policy of forcing down planes leaving that country with coca crop. The net result of that, since that has been in operation 2 or 3 years, a 40 percent reduction in the coca crop in Peru, a country where the majority of coca was grown before that policy was implemented. It could not have worked, and it is not working as well as it should today, had it not been for our aircraft that had radar on it to detect those planes providing information to President Fujimori who could implement that policy.

□ 1130

And what we have discovered as well is that that same type of policy could be implemented and could have been implemented a long time ago in Colombia, where virtually all the crop that is produced in the Amazon, one-third of the country region, has to be taken even in its refined form. And most of the cocaine that is produced in that southern part of Colombia, wherever it is grown, it has to be taken by a small plane across mountains to the coastal areas of Colombia to be shipped out by boat or to be further transported to Mexico, the United States or wherever. If we had a force-down policy in Colombia, we would not solve the entire problem, but we would make great progress in it. But there are no planes, there is no radar, there is no ability for the Colombian forces to go do anything about it that way.

We have talked to the Bolivians and we have asked them what could we do. They have one highway from their crop-growing region into the community where this stuff is refined, and they have two highways out with a refined product. They do not have the equipment down there to stop the flow. They do not have the x-ray machines we have on the Mexican border, and so on. Very simple things they need to have, that our people know, and that is what is in this bill.

We are providing the radar planes, some 20 of them to the Customs folks, that can do the look-down; we are providing the chase planes we need, because we are not chasing; we are providing new intelligence equipment, because intelligence gathering, to know when and where and how this stuff is being shipped and who is making it, is very important; we are providing the helicopters so that the Colombian forces can go up into the mountains of Colombia and actually take out the poppy crop, which they should have been doing a long time ago. If they cannot grow it, we can eradicate it. There is no heroin.

Sixty percent of the heroin that comes to the United States is grown in Colombia. Just shutting that down alone would be an enormous success. But for the equipment, it cannot be done. But we want to provide that in this bill, and we are providing that in this bill.

We need to have what is in the legislation before us today to solve this problem. The bottom line is that our own people have said if we give them this equipment, and we have the cooperation of the governments involved, and I can assure my colleagues the leadership of those countries involved are willing to cooperate in every way possible. They want our assistance and they want the things in this bill. They want to be able to reduce the flow. They want to stop the drug production and trafficking in their countries. They want their economies to thrive and their people to be able to work at decent wage-paying jobs and other means, and be able to farm crops they can sell that are productive and useful and not deadly, like these. They want all of that. If we have their cooperation, as we will, then the only missing link is the administration getting with it and making all of this happen.

Last but not least, I want to point out that we do not have today the right kind of asset allocation by the Department of Defense of its resources for the effort on drugs. They have had a drug mission for years. It is not just the fact they have moved stuff over to Bosnia or somewhere. If we have a war to fight, then that comes first. But in the order of things that they have in their asset allocation orders that the Joint Chiefs of Staff and the Department of Defense put out, they have about four priorities of category to send their equipment, their men, their whatever to do. One is war; number two is activities that are somewhat similar to war, where people are under threat of bodily harm, like peacekeeping and so forth; number three is training and exercises; and number four is everything else, which includes humanitarian assistance and anti-narcotics efforts.

In this bill we provide for moving up the priorities, encouraging them to do that. We cannot do that, but we will say to the Department of Defense, get with it. We want them engaged in this war on drugs, at least supplying the minimal material required for our Southern Command to do its job, and

we want them to move up their priorities so that the anti-narcotics efforts are at least parallel and equal to the number two priority of peacekeeping in Bosnia.

Our kids are dying on the streets of the United States. We should at least provide as much military effort in fighting this war on drugs for that cause as we are around the world in far-reaching places like Bosnia.

And in conclusion, I would say, my hat is off to the Coast Guard in particular. They have been fighting with their arms tied behind their backs. We have new equipment and ships coming out for them, Coast Guard cutters, so they can do their job. When they went to Puerto Rico a couple of years ago, they did a magnificent job of shutting down the drug traffic coming through Puerto Rico. But while they were there, it came out of other places because they did not have the equipment, they did not have the resources to take care of it somewhere else. They are now working in the Dominican Republic, where a lot of the drug trafficking is coming. We are providing in this bill resources to them as well.

It is extraordinarily important that this legislation be passed. I encourage my colleagues to enact H.R. 4300. Let us get a truly bipartisan drug policy that says, once and for all, here is the equipment, here is the resources, here is what they need; they have asked for it, they need it in the field, in essence the troops in the field, and Colombia, Bolivia and Peru have asked for it, and let us reduce the flow of drugs in this country by 80 percent over the next 2 or 3 years.

It can be done. For the sake of our kids, it must be done. And we have an obligation and an opportunity today to do that by passing H.R. 4300.

Mr. MENENDEZ. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, I will be offering an amendment today relative to utilization of our military at our border. It has been stripped from the defense authorization bill. It is probably the major debate that exists on this issue.

This is a good bill. I will support it. But there is still one glaring weakness: strong border security to ensure a strong reduction of narcotics.

Theories are theories. Our drug program is heavy on theory, lightweight on substance and factual data to, in fact, measure outcome indicators that reduce the presence of narcotics. Period.

One hundred percent of heroin comes across our border. One hundred percent of cocaine comes across our border. America does not domestically produce these economic giants that have destroyed our neighborhoods. It is the border. But because of politics, we protect and secure our border with only a civilian law enforcement presence.

This is an indictment on Congress. Not a mistake, not an oversight, an indictment. And I want to give credit to the majority party. They are willing to engage in the debate. Enough is enough. We cannot stop drugs at the border with more cops. We cannot stop and reduce reduction with more halfway houses, more counselors, more psychiatrists, more psychologists, more professors, more courses in school. They are all great. We have been doing it for years. Our streets have so much narcotic, a 14-year-old in New York can get it as easy as he can get aspirin. Shame, Congress. Shame.

I have to say this. The administration is in left field on this. They are wrong. In America the people govern. I do not want those troops to be making arrests, I want them to join forces with the civilian law enforcement entity and let the drug cartels know that we are going to wage a real war.

So I will offer my amendment today. I am going to ask my colleagues for support, and I want my colleagues to go beyond politics. There is nothing demeaning in this to Central American nations. There is no intent to demean any ethnic group. My God, every ethnic group in the cities has been decimated by narcotics. If we are going to have a program, by God, let us have one. And if this President is going to veto it for that, let him veto something with substance.

We are too concerned about perception in the Congress of the United States, and we have not been doing the people's jobs. It took me 11 years to change the burden of proof in a civil tax case because the White House did not want it, Treasury did not want it, IRS did not want it. But, my colleagues, the people wanted it. Thank God for the gentleman from Texas (Mr. BILL ARCHER), and thank God for the Republicans.

I have been working on this for 7, 8 years. Here is all I am saying. The American people do not want our soldiers cashing a check in Tokyo and going to the theater, cashing a check in Frankfurt and going to dinner. They want them to participate in securing our border. It is not a line between Pennsylvania and Ohio. It is time to do it.

I will be offering that amendment today. I am hoping to have the support of this House.

Mr. HASTERT. Mr. Chairman, I yield 4 minutes to the gentleman from Indiana (Mr. SOUDER), the vice chairman of the committee of jurisdiction on drug enforcement, certainly a person who has spent a lot of time and certainly heartfelt effort in this.

Mr. SOUDER. Mr. Chairman, I want to thank the gentleman from Illinois (Mr. HASTERT) for his leadership, and also the Speaker, who forced this on to the national agenda, because we actually are making some progress.

I first want to make the point, because we are constantly hearing what else does Congress do; all they do down there is talk about sex. We have had over 30 hearings and sex never came up once. We have been in Hollywood talking about the drug problem. We have talked to the record industry. We have been all across this country, in the district of the gentleman from Texas (Mr. SESSIONS), in Dallas; down in Orlando with the gentleman from Florida (Mr. MCCOLLUM) and the gentleman from Florida (Mr. MICA), where the heroin has devastated our children. And among the things we have learned is it will take a concerted effort on both the interdiction and the demand reduction sides to do this. This bill in front of us deals with interdiction.

A lot of people say this is a lot of money to spend on that. The fact is, when this President took over the government, he cut that budget. We saw an immediate increase in supply, reducing the price on the street and increasing the purity and potency of those drugs. It is no wonder we are seeing the problems we have right now in our country. If we cut drug use 50 percent among our young people right now, we will only be back to where it was when the President took office.

We have to take these efforts. And we know where the drugs come from, as the gentleman from Ohio (Mr. TRAFICANT) pointed out. In this bill is one provision that we have been battling for 3 years. There is a war going on in Colombia. I have the hat they gave me of Colonel Gallego, who was a Colombian patriot, who leads Dante, the anti-drug division of the Colombian National Police. They are dying fighting the drug war to keep those drugs out of here.

In Colombia, we not only have the number one source of cocaine and heroin that is pouring into our Nation, but they have seen the narco-traffickers spill into the Darien Peninsula of Panama, putting potentially the canal at risk as we transfer power. They are near the Venezuelan border, our now number one source for oil. It is not the middle, it is Venezuela.

We are looking at national security risks in Colombia and we have people dying to fight them, and we for 3 years have been trying to get Black Hawk helicopters so they can get into the high elevations to fight and we have been blocked by this administration. This bill will give six Black Hawk helicopters to the Colombian national police. It upgrades 50 Hueys. They have helicopters going up. They have had a base blown apart in the last month or two. They are constantly fighting with helicopters that do not work. We need to get upgrades.

If we do not help the Colombian National Police, we will have our young men and women down there fighting the drug war, fighting to protect the

canal, fighting to protect our oil interests. We should be helping the people who are willing to fight. It is not like Vietnam, where we did not see enough people. Look, here we have people fighting and dying. We need to get them the help. This has been silly. It has been downright silly.

We also have aid going to Peru for crop substitution and eradication where they have a shoot-down policy, all of a sudden the cocaine growers cannot get their crops to market. And they are saying now, they did not want to before, but they are saying, hey, maybe we will plant something else. We need to encourage that.

Same thing in Bolivia, where they have been aggressive. We have help. And in Mexico we have some assistance for them. The gentleman from Illinois (Mr. HASTERT) and I have been to Colombia three times; we have been in Peru and Bolivia multiple times; Chile; Mexico; met with President Zedillo. We have also been over in Thailand. They have a problem over there with heroin spreading around the world from Afghanistan to Vietnam. The base of this bill has a training center for that.

We, today, will also be dealing with the treatment programs, the prevention programs, and all the local crime enforcement. But in Fort Wayne, Indiana, and across this country, they cannot solve the problem if the cocaine and heroin is pouring in in great quantities, and with the purity, if it can be found anywhere.

Number one, we have to get control of our borders, get control of what is coming in, help the governments that are willing to fight. And in South America and Central America and in Asia they are seeing what it is doing to their economies as well. It is our obligation to get it and support those while we can before it is too late.

□ 1145

Mr. MENENDEZ. Mr. Chairman, I yield myself such time as I may consume.

I just want to point out to my colleagues who several times there have been references to the Administration cutting interdiction money. Several points I think need to be made. Number one is those moneys were used for other drug policy purposes, such as demand reduction. We have even heard some of the speakers on the other side suggest that as much as we also need to deal with interdiction, and I agree with that, we also need to deal with demand reduction.

Also the majority has had the opportunity since they took control at any time during that process, in the appropriation process, to rise to the level that they presently offer in this legislation today.

So I would just caution that as some seek to make a point that may be perceived as political in nature, the policy reality is, is that we have voted on the budgets that have been passed, we have had opportunities through the appropriation process to increase interdiction moneys to the levels that we thought were appropriate, and we now have in this bill today a very significant increase in interdiction. Now, that is fitting and appropriate. But I also think it is important in terms of keeping this debate intellectually honest that in fact there was significant assistance given to demand reduction and agreed that this is not just a one-sided war, that there are multiple aspects, different fronts to this war and if we are to be successful, we need to be attacking all of those fronts.

Mr. Chairman, I reserve the balance of my time.

Mr. HASTERT. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. BALLENGER).

Mr. BALLENGER. Mr. Chairman, I would like to just speak to the gentleman from New Jersey and remind him that we have authorized money in our budget the last two years to do this very thing, and the Administration has yet to spend them.

We should all be aware that our Nation's drug problem is a poison eating away at our country. It is invading our streets and our schools. Statistics show an ever increasing number of drug users within our Nation. Here is a startling fact. Heroin use alone has reached historic levels among 12 to 17-year-olds. Unfortunately these drugs are coming from our neighbors to the south. Now more than ever we need to focus more effort on source country eradication and interdiction to prevent drugs from entering the United States.

To my dissatisfaction, the Clinton administration has resisted congressional attempts, as I said, to assist these source countries as they wage their war on drugs. In general, President Clinton has made our Nation's drug problem a very low priority. As I said, the money was in the budget but they refused to spend it. The good news is that we have drafted an effective drug elimination plan. H.R. 4300 would provide the necessary assistance to countries like Colombia, Peru and Bolivia to strengthen eradication and interdiction strategies and enhance alternative crop developments. As a member of the Committee on International Relations Subcommittee on the Western Hemisphere and the Speaker's drug task force, I have witnessed firsthand the ill-equipped police and military forces as they attempt to fight the war on drugs alone. Specifically I have traveled to Colombia on numerous occasions only to be saddened by their lack of support from the Nation that creates the highest demand for illegal drugs, the United States. I am most pleased that a provision in H.R. 4300 would produce 50 "Super Huey" helicopters for the Colombian National Police. These are rebuilt and cost roughly 10 percent of what a new one would. It is money well spent. It is that helicopter package that is essential to the Colombians' ability to fight the increasingly well-funded, well-armed narcoguerillas and to eradicate an increasing number of coca and poppy plants.

Let us support a plan that embodies our role in the war on drugs and at the same time will assist in freeing us from the constricting hold drugs have on our Nation.

I ask for support for H.R. 4300.

Mr. MENENDEZ. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. I thank the gentleman from New Jersey (Mr. MENENDEZ) for yielding time. I rise, Mr. Chairman, to state my concern with H.R. 4300, the so-called Western Hemisphere Drug Elimination Act. I just really want to talk about a problem that I am aware of. I lived in Latin America in Colombia when I was a Peace Corps volunteer. A lot of Members do not realize that in 1991, we signed the Andean Trade Preference Act, ATPA. What we did in signing that act which President Bush brought to Congress where the act was intended to allow an alternative, a diversity of moving from growing coca and drug plants to growing flowers. Since that time, the Colombian and Andean trade pact countries have duty-free flowers coming into the United States. What has happened? They have now 70 percent of the American flower market. Who has been hurt by that? American flower growers. I mean really hurt. This is a noncompetitive advantage that we have. Any other flowers that we import from Asia or import from Europe have to pay a tariff. It is only the Andean trade pact countries that do not.

So my concern with the bill is we are authorizing in the bill $10 million to urge Colombian farmers and others to stop growing crops that may be used to create illegal drugs. I think we need to deal with this issue that we have opened up in the Andean trade pact and not give them another $10 million until we have gotten something back like requiring them to pay tariffs on their imports. There is not an equal playing field here. I know this is not what the committee intends. I hope that we can in conference committee work these things out. Because frankly the American flower growers cannot be more adamant about the problems that have been created, the unintended consequences of the Andean trade pact on American growers.

Frankly, the $10 million authorization is more than we are giving to the farmers in Texas and to the farmers in the Northeast and in the Midwest for all their droughts. Essentially we are helping farmers in foreign countries

more than we are helping our own. I would hope that the committee would be sensitive to this so that we might be able to take a look at a quid pro quo in this bill that will equal the playing field and still result in the intended consequences of diversity away from coca crops. If the committee will look at that, I would appreciate it. I would urge my colleagues to be aware of that as this bill goes into conference.

Mr. HASTERT. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. GILCHREST) who has been at the forefront of working with the Coast Guard and making sure that it is a viable force.

Mr. GILCHREST. Mr. Chairman, I would like to make a comment about the gentleman from California (Mr. FARR) and the noncompetitive nature of some of the deals that have been made in the past to find some alternative crop to grow in Latin America that we are keenly aware of those facets and we will continue to work to make sure that farmers in this country, whether they grow flowers or vegetables or chickens or whatever, are on a very level playing field with the international marketplace. We do not want to give anybody a particular advantage over another.

I also want to emphasize that this is not a rush piece of legislation. The information that has gone into this legislation has come from various committees over two years. There was a two-year operation in the Caribbean called Frontier Shield in which the Coast Guard worked not only with the Defense Department and other various agencies of this government but they worked with the international community in the Caribbean and European countries. They showed very, very clearly that they could put a net around the island of Puerto Rico and reduce significantly the amount of drugs coming into that particular island. So what we want to do is expand this program.

Just for a second, if people will in their mind imagine the United States and its coastal areas, the Pacific, the Atlantic, the Caribbean and the Gulf. This is a finite region. It is not infinite. We have without a doubt the expertise, the technology, the manpower to cut off drugs coming into this country. We can create a web, a steel web that will interdict these drugs before they reach our shores. We have the expertise, the technology, the manpower. This piece of legislation gives us the will. It is without a doubt a moral imperative for responsible adults to enter into this rather large program to reduce drug use in the United States.

Do we need treatment? Yes. Do we need education? Yes. Do we need hospitals? Yes. Do we need drug interdiction? The answer is yes. I urge my colleagues to vote for the legislation.

Mr. HASTERT. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART) certainly somebody who has been on the prosecutor side of this, very strident in trying to rid our country of drugs.

Mr. DIAZ-BALART. Mr. Chairman, I think it is about time that finally we are exerting the leadership in this Congress to get assistance to those heroic fighters for the interests not only of their own countries, the peoples of their own countries, in Colombia, in Peru and in Bolivia, but our young people here who are the victims of the poison that is coming in every day from South America. It is those Colombian National Police heroes as the gentleman from Indiana (Mr. SOUDER) was talking about that we cannot even get helicopters to. The Administration has held them up even when we have financed them. So this bill does very important things in addition to trying in multiple ways to get to the core of the problem.

Mr. Chairman, I need to point out something that continues to be a reality. I have in my office on video a customs agent who is on the front lines every day fighting drugs. He says that over 50 percent of the cocaine that comes in through the Caribbean comes through or from Cuba. The Clinton administration continues to deny and ignore and thus cover up the Cuban dictatorship's participation in drug trafficking. Out of frustration, the U.S. Attorney in that office, the Southern District of Florida, leaked an indictment that is prepared, and it has been prepared since 1993 that charges the Cuban government as a racketeering enterprise for a 10-year conspiracy to send tons of Colombian cartel cocaine through Cuba to the United States.

Now, that indictment has been put in a drawer due to an order from Washington. Out of frustration it was leaked to the press; as was leaked, also, an investigation of a drug dealer who in 1996 after having been arrested, agreed, due to the fact that he had had multiple drug dealings with the Cuban government, to go back in under surveillance and do another deal with the Cuban government, with the Cuban dictatorship. That continues to be covered up.

So there is an inconsistency. There is an inconsistency between what the people on the front lines are saying and what the higher-ups are saying, even to us here in Congress, where I maintain, Mr. Chairman, we have been lied to and we continue to be lied to.

The Clinton administration cannot continue this cover-up. We are going to continue investigating and pressing this issue, because the poison that is coming in to kill our young people in this country is not acceptable and a policy that covers up the importation of that policy is at the very least unconscionable as well as unacceptable.

Mr. MENENDEZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just like to make a statement as it relates to one of the issues that we have consistently heard about and suggesting that the Administration has cut our overall drug efforts. In essence what we had here was a readjusted strategy. We found that the Administration through its fact-finding found that over the Mexican border, much more was coming through in terms of illicit drugs than from some of the Caribbean aspects, so it reallocated moneys to domestic law enforcement, and our overall budget remained the same. In the 1997 fiscal year, we are talking about 52 percent went to domestic law enforcement, because it understood the intention and the need to deal with what was coming over our border and it reallocated for that purpose. And then 12 percent went for interdiction and 35 percent went for demand. What we are doing, we are taking that 52 percent for domestic law enforcement which was geared at the border, the most porous place in which the ability to transverse drugs into the country was created and now here we are going to try to raise the interdiction part. There are many of us who support that. But we need to characterize it in the appropriate way.

Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. RANGEL) who has been extremely active over many years in the House and former chair of what was a select committee on narcotics.

□ 1200

Mr. RANGEL. Mr. Chairman, I appreciate the opportunity to come to the floor to support this initiative.

It did not come as a surprise to me that the first person I would see on the floor would be my old and dear friend, the gentleman from New York (Mr. GILMAN). It has been over a quarter of a century now that he and I recognize this threat to our Nation's national security. We have been around the world with the most bipartisan groups we would have in the Congress and in local government and law enforcement. We have been around the world talking with people, and more often than not in recent years we would look at each other and say, whether it was at the United Nations or in committees in this Congress, it looks like this is where we started.

Mr. Chairman, the reason for it is that we all agree that demand is such an important part of this struggle where kids have to not just say no, but have hopes and dreams for the future so that addiction and crime and violence and jail is no longer an option for them, and we have to invest in education if we are going to get a handle on this. We need local law enforcement, of course, so that those who venture to make profit at the expense and misery of others would know that if they commit the crime, they do the time.

We have to protect our borders against this poison that comes in, and we have to let every Nation know that those that venture out and traffick and use their countries for transshipment, that it violates everything that this country stands for, and that we are not going to tolerate that.

Mr. Chairman, we have to talk about corruption, not that we do not have more than our share in this country, but we cannot tolerate it with the countries that we are sending resources to and find that it is not reaching those people that dedicate their lives each and every day to fighting the drug traffickers and those that support them.

I remember the day so vividly when the gentleman from New York (Mr. GILMAN) and I were on the streets of Bogotá and saw what amounted to their Federal Bureau of Investigation headquarters with a big hole blasted into it as the drug traffickers sought to destroy the very institution of their government. How many funerals we have been to with Colombian law enforcement people; how many trust funds have we set up for their families?

So some people say, well, we tried that, and it has not worked, and so give up. No, we cannot give up. This is not a problem that our great Nation can give up. This is the type of problem where there are no parties, there is no Republicans, there is no Democrats. It is our kids, it is our future. And we have to be able to say at the same time, the same way that we wrestled Communists to the ground, that we are going to wrestle this threat to our security to the ground.

Mr. Chairman, I support this, I support the bipartisan nature in which we come to deal with this.

This administration, be placed on notice, that from the time I came here we have engaged in each 4 years with a new war on drugs, and each time we have not even seen the bang of a flag out of a pop gun in terms of dealing with this tragic problem. I remember that we set up the drug czar, and that was supposed to coordinate all of the efforts. But in setting up the drug czar, we lost the voice of each and every Secretary, whether the Secretary of State, Secretary of Education, Secretary of Health and Human Services, Secretary of Defense. All of these things are necessary when the Commander in Chief and President of the United States declares war.

So let me congratulate the original authors of the bill, and let me say that regardless of which side of the aisle we are on, America will never be free and our legacy will never be clean until we say that on our watch we eliminated this threat to our national security.

Mr. MENENDEZ. Mr. Chairman, in the spirit of the bipartisanship I was talking about, I yield 4 minutes to the distinguished gentleman from New York (Mr. GILMAN) chairman of the Committee on International Relations, someone who has focused a lot of time of his work and efforts here in the Congress on the issue of combating drugs in our country.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of this worthy legislation. It is intended to improve our Nation's fight against drugs at their source before they ever reach our shores to destroy our communities and our children.

Yes, it is important we fight this battle on both reducing supply and reducing demand and doing it simultaneously, and this is an important aspect of reducing demand.

I want to commend the gentleman from Florida (Mr. MCCOLLUM), the gentleman from Illinois (Mr. HASTERT) our Drug Task Force chairman, for these outstanding efforts, bipartisan efforts, to turn around the serious source-nation neglect by this administration, neglect abroad, I might add, which is already having disastrous consequences at home and in rising drug use among our young, especially with Colombian heroin.

And I am pleased that we are joined today in support of this bill by my good friend and a longtime drug fighter, the gentleman from New York (Mr. RANGEL), who is still fighting the good fight. He chaired, and I recall we had an excellent House Select Committee on Narcotics that he chaired, and we worked together in a bipartisan effort to fight drugs both here and abroad.

As my colleagues know, the fight has not changed one iota, and the problem has not changed. The war on drugs is not a partisan issue; it is, as the gentleman from New York (Mr. RANGEL) noted, it is about our children, and I am so pleased that we have a measure before us which can help substantially.

The most recent drug use data reflects extensive damages. For example, for the first time heroin use is at an all time high: 171,000 teens used heroin for the first time in 1996, the latest statistics we have available. It is way above the 1995 levels. Yes, we are in a crisis with drug use at home, especially heroin, in part due to our neglect abroad. In the last 5 years we witnessed a startling 875 percent increase of heroin use by teenagers 12 through 17, and not long ago a poll of our Nation put the issue of stopping drugs from entering our Nation high atop our U.S. foreign policy goals. At a June 24 Committee on International Relations hearing on the growing Colombian heroin crisis in our Nation, where a startling 75 percent of the heroin on the streets now originates, an FBI witness testified on the best way to tackle this crisis, and he stated and I quote:

"Eradication of the opium poppy in South America seems to be the logical point of attack in order to curb the increasing flow of Colombian heroin into the growing Northeast market."

This wise approach favored by the FBI to fight Colombian heroin was also shared by our DEA and by our Customs Service witnesses. Our front-line Federal law enforcement agents know best how to fight drugs, and that is at the source.

A recent Ocala, Florida Star-Banner editorial said it best when arguing for more efforts abroad to fight drugs in places like Colombia, and I quote: "We face a choice. Pay a little now or a lot more later."

This bill before us starts the process. It authorizes better high-performance helicopters for the Colombian National Police anti-drug unit which has an excellent record both fighting drugs and respecting human rights. And General Serrano, the incorruptible head of the CNP, has lost over 4,000 officers, 4,000 in the past 10 years in the Colombian eradication fight. The CNP was responsible for ridding the world of drug lords like Pablo Escobar. They deserve our support to halt the flow of drugs to our young people. I have long advocated these means to first take the fight against Colombian heroin to the high Andes where the opium poppy grows and eradicate it before it reaches our shores.

In addition, this bill removes the outmoded limits on our DEA's ability to provide nonlethal and drug-related assistance like radios and transport vehicles to cooperative anti-drug police agencies abroad. Low cost, nonlethal, anti-drug aid would be provided more quickly by the DEA to their counterparts under this proposal.

This bill also fixes a major problem with the State Department's Bureau of International Narcotics and Law Enforcement inability to effectively process and expeditiously handle foreign military sales cases for counternarcotics-related military aid abroad.

The bill also ends the need to create whole new files, hire additional officers and bureaucracy to handle FMS anti-drug related cases within the State Department and at local U.S. embassies. The Department of Defense will now process MFS cases after the order is negotiated by the State and the local security agents in their fight against drugs.

This reform avoids duplication, it takes advantage of our military experience and know-how in promptly providing military aid for counternarcotics assistance related to the foreign police, to military and other security agencies.

So in closing, let me say the long, bitter experience in Colombia, where inexperienced State Department officials cannot process and move along expeditiously vital counternarcotics aid under FMS in the middle of our raging narco-based war, should never be repeated.

Mr. Chairman, these and many other excellent provisions of the source nation bill before us will improve the fight against drugs abroad and at their source as the American people want, expect, and have a right to from their Federal Government. Accordingly, in the interests of effectively fighting the drug war, I urge adoption of this measure.

Mr. Chairman, I rise in strong support of this open and fair rule for the House's consideration of H.R. 4300. My committee waived jurisdiction over H.R. 4300 "The Western Hemisphere Drug Elimination Act". As this session nears conclusion, we are in a serious crisis on the drug front as a result of Administration's neglect in both source nation and interdiction efforts in the war on drugs. We need bold, broad and coordinated action, H.R. 4300 sets out to do this.

The supply of pure, and low cost drugs from abroad increases daily, while corresponding demand and use rises here at home, especially heroin among our young people.

A good case in point of this neglect is Colombia, which produces 80% of the world's cocaine, and most recently has captured the heroin market here in the U.S. (75% in fact).

Our committee has held an extensive set of hearings on drugs in Colombia, and we also had the GAO report on the crisis there.

We have conducted extensive analysis of the critical need for more and better assistance including high performance helicopters, and an overall reform of our war on drugs being waged abroad.

Most recently, events turned for the worse in the fight against drugs at the source in Colombia. U.S. law enforcement is in agreement that the best place to fight drugs, is at the source in places like Colombia. The war on drugs is now on hold in Colombia. Without good helicopters, opium eradication has been cut 50% and the results in the U.S. from the influx of Colombia heroin are indeed frightening. In addition, the narco-guerillas' recently destroyed the Colombian National Police's forward drug fighting base in Miraflores. Fear of attack on their key anti-drug operations base at San Jose del Guaviare, forced the withdrawal of the CNP's few remaining operational Vietnam era Huey helicopters. Coca and cocaine lab destruction have also decreased.

This de facto cessation of the war on drugs in the major source nation in our hemisphere is having impact here at home. More and more in the U.S., the price of hard drugs fall, while the purity rises. The most recent National Household Survey data released while we were on recess, showed 171,100 teens for the first time used heroin in 1996. Heroin use in the U.S. now exceeds the late 1960s, early 1970s historic levels, and the future is not bright. On the cocaine front, prices fall, as purity rises, with use on the rise. We are witnessing a major failed demand only driven drug fighting strategy, which will reverse all of the major Reagan/Bush gains in the war on drugs.

H.R. 4300 is an excellent bill. it sets out a three-year plan to reverse this serious neglect at both the source, and in the area of drug interdiction.

As this drug crisis threatens our youth, and nation, it requires our immediate action before the session adjourns. Accordingly, under these extraordinary circumstances, I am without prejudice to the Committee's ongoing jurisdiction over the subject matter, willing to waive jurisdiction on this bill so the full House can act on it. I urge the adoption of the rule. A vote yes, is a vote to fight drugs at the source.

Mr. MENENDEZ. Mr. Chairman, I just yield myself such time as I may consume very briefly, and then I will yield back.

I think I want to echo comments of my colleague from New York (Mr. RANGEL) which I think very vividly express the sentiments of those on this side of the aisle about our commitment to this fight, understanding that there are many aspects to this fight, many fronts to be fought on. Today we are focusing on one of those fronts, and appropriately, in an appropriate manner.

But I just hope that my colleagues, in the ensuing debate that will take place on the amendments, will understand that in that process, as we deal with interdiction, which is an incredibly important element of this, we need not to forget demand reduction and we need not to forget about education and treatment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to speak in opposition to this bill, which attempts to implement various plans aimed at reducing the flow of illicit drugs into the United States through drug interdiction programs in North, Central, and South America, as well as the Caribbean.

Although I cannot in good conscience support this bill, I applaud the effort because it serves as an acknowledgement that the war on drugs cannot be fought on our soil alone. It will take the efforts of the global community, working together, to defeat this scourge and leave a drug-free legacy for our posterity. For this recognition, I applaud the House leadership.

However, there are certain principles that we as legislators must abide by when passing legislation. This bill violates many of them, and for that reason, I oppose the passage of this bill.

This bill contains no human rights or anticorruption conditionality on assistance, except in the case of Columbia, where the inclusion of that condition threatens the delicate balance of their peace process. As a Founder and Chairperson of the Congressional Children's Caucus, I will not allow federal funds to go to oppressive governments, especially when there is a good chance that those very funds could be used to dehumanize the people of their country.

I also oppose this bill because it represents a failure of the deliberative process. Although the ranking members of several committees, including the Judiciary upon which I serve, requested H.R. 4300, jurisdiction of the bill was waived by the respective Republican Chairperson, essentially blocking Democratic input until it reached the floor of the House this morning. There have been no hearings on this bill, and no markups. That means the bill was not subjected to the scrutiny of elected lawmakers. The representatives who were voted in by the people of the United States to protect their interests. I cannot be a party to that.

Furthermore, the goals of this bill, while laudable, are unrealistic and unattainable, especially in light of the low amount of funds authorized for its implementation. For this reasons, the Office of National Drug Policy also opposes this bill.

We all know that this bill will not be fully funded. Our appropriations for this year are gaunt, and this bill unfairly raises the expectations of the American people. I would love to see an 80-percent reduction in drug trafficking, but I know that this goal is not attainable without the enactment of a truly comprehensive drug bill, wrought through the legislative process, and with due consideration for our longstanding foreign policy objectives.

It is a fact that a tremendous amount of drugs cross our borders every year, and I acknowledge that it is a problem of enormous magnitude. But we cannot leave our common sense and legislative know-how behind as we chase the holy grail of a drug-free America. I vow to remain vigilant in protecting our children the best way I know how, by passing effective legislation that can, realistically and not theoretically, win us the war on drugs.

Mr. SHUSTER. Mr. Chairman, I rise in strong support of H.R. 4300, and commend the efforts of my colleagues to bring this bill to the floor.

As chairman of the Transportation and Infrastructure Committee, I have urged the administration to take a more balanced approach to drug control by increasing Coast Guard drug interdiction resources.

The reason that this is so important is simple: Aggressive interdiction of illegal drugs raises the street price for drug users.

Raising the street price of illegal drugs deters casual drug users, especially teenagers, from using drugs.

Research shows that if people do not use drugs as teenagers, they are unlikely to acquire a drug habit later in life.

Sadly, the latest news on teenage drug use in this country is bleak.

Last month, the administration released the findings of the most recent national household survey on drug abuse.

For young people ages 12–17, the survey found a 32-percent increase in drug use, primarily marijuana, during the last year alone.

We must act immediately to reduce drug use in this country by providing the resources necessary for law enforcement officials to fight the war on drugs.

The drug interdiction funds authorized in H.R. 4300 will allow the Coast Guard to respond aggressively to drug smugglers before they reach our borders.

Billions of dollars of television advertisements are no substitute for tough law enforcement to keep drugs off American streets and out of the hands of American children.

I urge Members to support H.R. 4300.

Mr. HUTCHINSON. Mr. Chairman, I rise in strong support of the "Western Hemisphere Drug Elimination Act." As a cosponsor of this important legislation, I am proud to speak in favor of its provisions.

I think we are all aware of the enormity of the drug problem.

More than eleven million Americans buy illicit drugs and use them more than once a month, spending as much as $150 billion annually.

Studies indicate that the addictive nature of drugs, their high cost and their illegality play a role in half of the street crime in the United States.

And we all can attest to the debilitating effect drug use has on communities, neighborhoods and families.

Measured in dollar value, at least four-fifths of all the illicit drugs consumed in the U.S. are of foreign origin, including virtually all the cocaine and heroin.

But let's be honest with ourselves—there has never been a real war against drugs in this country. In fact, in recent years we have been waving the white flag of surrender. Drastic cuts to budget of the Drug Czar, reductions in military interdiction efforts, and removal of important radar sites around our borders have had real consequences.

With a brief review of the basic economic doctrine of supply and demand, it is not hard to understand that the more drugs that enter this country, the cheaper the street price is, and the more likely that a young person—maybe a first-time user—will experiment with drugs.

So what can we do to slow the flow of drugs?

First, we must enhance our surveillance efforts to detect and monitor drug traffickers on the high seas or in the skies above. The Western Hemisphere Drug Elimination Act accomplishes this by authorizing funds for source and transit country aircraft and improved radar coverage.

Second, we must intensify eradication and interdiction in the primary source countries. The legislation at hand addresses this as well by authorizing funds for these activities in Bolivia, Colombia and Peru.

Third and finally, we must focus on international law enforcement training and making sure that our law enforcement agents have the tools they need to fight this war. The legislation before us today recognizes the importance of these resources: it funds three international law enforcement academies, a U.S. Coast Guard training vessel, and a joint maritime law enforcement training center.

While the price tag on this package is significant, I believe it is time to get serious about our war on drugs. Halting the cultivation and transportation of these lethal substances deserves our strong support.

Mr. Speaker, let me close with one last thought. If a large quantity of anthrax was being transported from South America to the United States what would we do? Drugs are just as deadly. And we must be just as vigilant to protect all Americans from the scourge of drug abuse as we would any other national security threat.

I urge adoption of this legislation.

Mr. SMITH of Oregon. Mr. Chairman, I rise today in support of this bill and would like to take this opportunity to thank Mr. HASTERT for his hard work in expeditiously moving it to the floor. I would also like to thank him for his cooperation in accommodating our concerns with regard to those portions of the bill which fall within the jurisdiction of the House Agriculture Committee.

I would like to speak specifically to the title III of the bill. This title of the bill authorizes a very innovative approach to tackling our drug problems in this country and across the world involving agricultural research. The phenomenal discoveries that USDA and the private sector have developed will be used to literally stop the production of drugs at the initial source by introducing diseases directly into the plants that produce these drugs.

Earlier this year, we passed and the President signed into law a reauthorization of our agricultural research programs. This bill was the result of about a year of work in which Mr. Combest's subcommittee conducted thorough review of agricultural research programs and worked hard to increase efficiencies and improve the performance and results of our agricultural research programs. Within that debate a lot of discussion occurred regarding the vital importance of strong agricultural research to help American farmers and ranchers meet the increasing demands of an ever competitive world marketplace. Frustration was expressed about the lack of appreciation in most of our society for the benefits that we enjoy resulting from agricultural research. This project is a perfect example of agricultural research producing benefits for our everyday lives. Agricultural research will play an integral role in stemming the production of deadly drugs which have been such a detriment to our society.

Also in title III of the bill is an authorization for work by USDA's Agricultural Research Service and the U.S. Agency for International Development to assist producers who have relied on the production of drug producing plants to support their families in switching to alternative crops. This is a vital aspect of this program which needs to be present to make the program successful. I would like to make it clear that the crops which will be encouraged as alternatives for these producers are not major, traditional crops which are widely grown in the United States. Examples of these alternative crops are calca, which is the bean which is used to produce chocolate, and bananas. Therefore, U.S. producers should not be concerned that this project will affect the supply on the world market for the crops that they produce.

Again, I appreciate the work of Mr. HASTERT and others in bringing this bill to the floor and I am glad to support its passage.

Mr. MORAN of Virginia. Mr. Chairman, I rise today in reluctant opposition to this bill.

I agree with the sponsors of this bill that we must do more to combat the trade in illegal drugs. We need to increase our interdiction efforts. We must step up our efforts to eradicate drugs at the source. We should increase our cooperation with other nations and assist them in proper training of law enforcement officers. I also support redoubling our crop substitution efforts.

However, the substantial changes in U.S. policy made by this bill deserve proper consideration by the authorizing committees. This bill was initially referred to five committees, none of which held a hearing or a mark-up. This bill was re-drafted behind closed doors this week and was shared with Democrats only at the last minute.

Seat-of-the-pants legislating may make for good politics in an election year, but it also makes bad law. For example, this bill authorizes new equipment purchases but fails to adequately fund its operation or maintenance. Oversights like this can be easily addressed by the authorizing committees if they are given the chance.

Furthermore, I am opposed to the provisions in this bill which further reduce the role of the State Department in this growing international problem. Specifically, this bill will transfer the Bureau of International Narcotics Control and Law Enforcement Affairs from the State Department to the Drug Enforcement Agency.

It may be true, as the sponsors claim, that narcotics control assistance is better conducted by law enforcement agencies than by the State Department. But I do know that the State Department is better equipped to deal with issues of international stability and diplomacy. For example, this bill threatens a tentative peace by withholding assistance if the Colombian government agrees to a demilitarized zone with its insurgents. Disrupting the peace process will weaken the Colombian government and will hamper its ability to effectuate strong, sensible narcotics control programs. It is critical that the State Department retain its seat at the table if we are to adequately consider the effects that our drug control policy has on the stability of other nations and the ability of those nations to cooperate with us as partners in these efforts.

Finally, Mr. Chairman, I wonder about the timing of this bill. We always seem to consider major counter-narcotics authorization bills just prior to election day. I'm sure that it is merely coincidental, but I wonder why we've chosen to focus on these authorization bills when the real problem we face in narcotics control is that Congress fails to adequately fund existing programs. If no one proposed full funding of counter-narcotics programs when we considered the Commerce, Justice, State Appropriations Bill just six weeks ago, does anyone really think passing this bill will result in greater appropriations and greater counter-narcotics efforts?

For these reasons, I urge my colleagues to oppose this bill.

Mr. MENENDEZ. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule for not more than 3 hours.

The amendment in the nature of a substitute, numbered 1, printed in the CONGRESSIONAL RECORD, is considered as an original bill for the purpose of amendment and is considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 4300

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Western Hemisphere Drug Elimination Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and statement of policy.

TITLE I—ENHANCED SOURCE AND TRANSIT COUNTRY COVERAGE

Sec. 101. Expansion of aircraft coverage and operation in source and transit countries.

Sec. 102. Expansion of maritime coverage and operation in source and transit countries.
Sec. 103. Expansion of radar coverage and operation in source and transit countries.
TITLE II—ENHANCED ERADICATION AND INTERDICTION STRATEGY IN SOURCE COUNTRIES
Sec. 201. Additional eradication resources for Colombia.
Sec. 202. Additional eradication resources for Peru.
Sec. 203. Additional eradication resources for Bolivia.
Sec. 204. Additional eradication resources for Mexico.
Sec. 205. Miscellaneous additional eradication resources.
Sec. 206. Bureau of International Narcotics and Law Enforcement Affairs.
Sec. 207. Report on transferring international narcotics assistance activities to a United States law enforcement agency.
TITLE III—ENHANCED ALTERNATIVE CROP DEVELOPMENT SUPPORT IN SOURCE ZONE AND MYCOHERBICIDE RESEARCH AND DEVELOPMENT
Sec. 301. Alternative crop development support.
Sec. 302. Authorization of appropriations for Agricultural Research Service counterdrug research and development activities.
Sec. 303. Master plan for mycoherbicides to control narcotic crops.
TITLE IV—ENHANCED INTERNATIONAL LAW ENFORCEMENT TRAINING
Sec. 401. Enhanced international law enforcement academy training.
Sec. 402. Enhanced United States drug enforcement international training.
Sec. 403. Provision of nonlethal equipment to foreign law enforcement organizations for cooperative illicit narcotics control activities.
TITLE V—ENHANCED DRUG TRANSIT AND SOURCE ZONE LAW ENFORCEMENT OPERATIONS AND EQUIPMENT
Sec. 501. Increased funding for operations and equipment.
Sec. 502. Sense of Congress regarding priority of drug interdiction and counterdrug activities.
TITLE VI—RELATIONSHIP TO OTHER LAWS
Sec. 601. Authorizations of appropriations.

SEC. 2. FINDINGS AND STATEMENT OF POLICY.

(a) FINDINGS.—Congress makes the following findings:

(1) Teenage drug use in the United States has doubled since 1993.

(2) The drug crisis facing the United States is a top national security threat.

(3) The spread of illicit drugs through United States borders cannot be halted without an effective drug interdiction strategy.

(4) Effective drug interdiction efforts have been shown to limit the availability of illicit narcotics, drive up the street price, support demand reduction efforts, and decrease overall drug trafficking and use.

(5) A prerequisite for reducing youth drug use is increasing the price of drugs. To increase price substantially, at least 60 percent of drugs must be interdicted.

(6) In 1987, the national drug control budget maintained a significant balance between demand and supply reduction efforts, illustrated as follows:

(A) 29 percent of the total drug control budget expenditures for demand reduction programs.

(B) 38 percent of the total drug control budget expenditures for domestic law enforcement.

(C) 33 percent of the total drug control budget expenditures for international drug interdiction efforts.

(7) In the late 1980's and early 1990's, counternarcotic efforts were successful, specifically in protecting the borders of the United States from penetration by illegal narcotics through increased seizures by the United States Coast Guard and other agencies, including a 302 percent increase in pounds of cocaine seized between 1987 and 1991.

(8) Limiting the availability of narcotics to drug traffickers in the United States had a promising effect as illustrated by the decline of illicit drug use between 1988 and 1991, through a—

(A) 13 percent reduction in total drug use;

(B) 35 percent drop in cocaine use; and

(C) 16 percent decrease in marijuana use.

(9) In 1993, drug interdiction efforts in the transit zones were reduced due to an imbalance in the national drug control strategy. This trend has continued through 1995 as shown by the following figures:

(A) 35 percent for demand reduction programs.

(B) 53 percent for domestic law enforcement.

(C) 12 percent for international drug interdiction efforts.

(10) Supply reduction efforts became a lower priority for the Administration and the seizures by the United States Coast Guard and other agencies decreased as shown by a 68 percent decrease in the pounds of cocaine seized between 1991 and 1996.

(11) Reductions in funding for comprehensive interdiction operations like OPERATION GATEWAY and OPERATION STEELWEB, initiatives that encompassed all areas of interdiction and attempted to disrupt the operating methods of drug smugglers along the entire United States border, have created unprotected United States border areas which smugglers exploit to move their product into the United States.

(12) The result of this new imbalance in the national drug control strategy caused the drug situation in the United States to become a crisis with serious consequences including—

(A) doubling of drug-abuse-related arrests for minors between 1992 and 1996;

(B) 70 percent increase in overall drug use among children aged 12 to 17;

(C) 80 percent increase in drug use for graduating seniors since 1992;

(D) a sharp drop in the price of 1 pure gram of heroin from $1,647 in 1992 to $966 in February 1996; and

(E) a reduction in the street price of 1 gram of cocaine from $123 to $104 between 1993 and 1994.

(13) The percentage change in drug use since 1992, among graduating high school students who used drugs in the past 12 months, has substantially increased—marijuana use is up 80 percent, cocaine use is up 80 percent, and heroin use is up 100 percent.

(b) STATEMENT OF POLICY.—It is the policy of the United States to—

(1) reduce the supply of drugs and drug use through an enhanced drug interdiction effort in the major drug transit countries, as well support a comprehensive supply country eradication and crop substitution program, because a commitment of increased resources in international drug interdiction efforts will create a balanced national drug control strategy among demand reduction, law enforcement, and international drug interdiction efforts; and

(2) support policies and dedicate the resources necessary to reduce the flow of illegal drugs into the United States by not less than 80 percent by December 31, 2001.

TITLE I—ENHANCED SOURCE AND TRANSIT COUNTRY COVERAGE

SEC. 101. EXPANSION OF AIRCRAFT COVERAGE AND OPERATION IN SOURCE AND TRANSIT COUNTRIES.

(a) DEPARTMENT OF THE TREASURY.—Funds are authorized to be appropriated for the Department of the Treasury for fiscal years 1999, 2000, and 2001 for the enhancement of air coverage and operation for drug source and transit countries, as follows:

(1) For procurement of 10 P-3B Early Warning aircraft for the United States Customs Service to enhance overhead air coverage of drug source zone countries, the total amount of $430,000,000.

(2) For the procurement and deployment of 10 P-3B Slick airplanes for the United States Customs Service to enhance overhead air coverage of the drug source zone, the total amount of $150,000,000.

(3) For each of fiscal years 2000 and 2001 for operation and maintenance of 10 P-3B Early Warning aircraft for the United States Customs Service to enhance overhead air coverage of drug source zone countries, $23,500,000.

(4) For each of fiscal years 1999, 2000, and 2001 for personnel for the 10 P-3B Early Warning aircraft for the United States Customs Service to enhance overhead air coverage of drug source zone countries, $12,500,000.

(5) For each of fiscal years 2000 and 2001 for operation and maintenance of 10 P-3B Slick airplanes for the United States Customs Service to enhance overhead coverage of the drug source zone, $23,500,000.

(6) For each of fiscal years 1999, 2000, and 2001 for personnel for the 10 P-3B Slick airplanes for the United States Customs Service to enhance overhead air coverage of drug source zone countries, $12,500,000.

(7) For construction and furnishing of an additional facility for the P-3B aircraft, 6,000,000.

(8) For each of fiscal years 1999, 2000, and 2001 for operation and maintenance for overhead air coverage for Colombia, $6,000,000.

(9) For each of fiscal years 1999, 2000, and 2001 for operation and maintenance for overhead air coverage for Bolivia, $2,000,000.

(10) For each of fiscal years 1999, 2000, and 2001 for operation and maintenance for overhead air coverage for Peru, $6,000,000.

(11) For each of fiscal years 1999, 2000, and 2001 for operation and maintenance for overhead coverage for the Caribbean and Eastern Pacific regions, $25,000,000.

(12) For purchase and for operation and maintenance of 3 Schweizer RU-38A observation aircraft (to be piloted by pilots under contract with the United States), the total amount of $16,500,000, of which—

(A) $13,500,000 is for procurement; and

(B) $1,000,000 for each such fiscal year is for operation and maintenance.

(b) REPORT.—Not later than January 31, 1999, the Secretary of Defense, in consultation with the Secretary of State and the Director of Central Intelligence, shall submit to the Committee on National Security, the Committee on International Relations, and the Permanent Select Committee on Intelligence of the House of Representatives and

to the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate a report examining the options available in the source and transit zones to replace Howard Air Force Base in Panama and specifying the requirements of the United States to establish an airbase or airbases for use in support of counternarcotics operations to optimize operational effectiveness in the source and transit zones. The report shall identify the following:

(1) The specific requirements necessary to support the national drug control policy of the United States.

(2) The estimated construction, operation, and maintenance costs for a replacement counterdrug airbase or airbases in the source and transit zones.

(3) Possible interagency cost sharing arrangements for a replacement airbase or airbases.

(4) Any legal or treaty-related issues regarding the replacement airbase or airbases.

(5) A summary of completed alternative site surveys for the airbase or airbases.

(c) TRANSFER OF AIRCRAFT.—The Secretary of the Navy shall transfer to the United States Customs Service—

(1) ten currently retired and previously identified heavyweight P-3B aircraft for modification into P-3 AEW&C aircraft; and

(2) ten currently retired and previously identified heavyweight P-3B aircraft for modification into P-3 Slick aircraft.

SEC. 102. EXPANSION OF COAST GUARD DRUG INTERDICTION.

(a) OPERATING EXPENSES.—For operating expenses of the Coast Guard associated with expansion of drug interdiction activities around Puerto Rico, the United States Virgin Islands, and other transit zone areas of operation, there are authorized to be appropriated to the Secretary of Transportation $129,000,000 for each of fiscal years 1999, 2000, and 2001. Such amounts shall include (but are not limited to) amounts for the following:

(1) For deployment of intelligent acoustic detection buoys in the Florida Straits and Bahamas.

(2) For a nonlethal technology program to enhance countermeasures against the threat of transportation of drugs by so-called Go-Fast boats.

(b) ACQUISITION, CONSTRUCTION, AND IMPROVEMENT.—

(1) IN GENERAL.—For acquisition, construction, and improvement of facilities and equipment to be used for expansion of Coast Guard drug interdiction activities, there are authorized to be appropriated to the Secretary of Transportation for fiscal year 1999 the following:

(A) For maritime patrol aircraft, $66,000,000.

(B) For acquisition of deployable pursuit boats, $3,500,000.

(C) For the acquisition and construction of 15 United States Coast Guard 87-foot Coastal Patrol Boats, $71,000,000.

(D) For the reactivation of 3 United States Coast Guard HU-25 Falcon jets, $7,500,000.

(E) For acquisition of installed or deployable electronic sensors and communications systems for Coast Guard Cutters, $16,300,000.

(F) For acquisition and construction of facilities and equipment to support regional and international law enforcement training and support in Puerto Rico, the United States Virgin Islands, and Caribbean Basin, $4,000,000.

(G) For acquisition or conversion of maritime patrol aircraft, $17,000,000.

(H) For acquisition or conversion of 2 vessels to be used as Coast Guard Medium or High Endurance Cutters, $36,000,000.

(I) For acquisition or conversion of 2 vessels to be used as Coast Guard Cutters as support, command, and control platforms for drug interdiction operations, $20,000,000.

(J) For construction of 6 United States Code Coast Guard medium endurance cutters, $289,000,000.

(2) CONTINUED AVAILABILITY.—Amounts appropriated under this subsection may remain available until expended.

(c) REQUIREMENT TO ACCEPT PATROL CRAFT FROM DEPARTMENT OF DEFENSE.—The Secretary of Transportation shall accept, for use by the Coast Guard for expanded drug interdiction activities, 7 PC-170 patrol craft offered by the Department of Defense.

SEC. 103. EXPANSION OF RADAR COVERAGE AND OPERATION IN SOURCE AND TRANSIT COUNTRIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are authorized to be appropriated for the Department of the Treasury for fiscal years 1999, 2000, and 2001 for the enhancement of radar coverage in drug source and transit countries, as follows:

(1) For restoration of radar in the Bahamas, the total amount of $13,500,000, of which—

(A) the total amount of $4,500,000 is for procurement; and

(B) $3,000,000 for each such fiscal year is for operation and maintenance.

(2) For each such fiscal year for operation and maintenance, for establishment of ground-based radar coverage at Guantanamo Bay Naval Base, Cuba, $300,000.

(b) REPORT.—Not later than January 31, 1999, the Secretary of Defense, in conjunction with the Director of Central Intelligence, shall submit to the Committee on National Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services and the Select Committee on Intelligence of the Senate a report examining the options available to the United States for improving Relocatable Over the Horizon (ROTHR) capability to provide enhanced radar coverage of narcotics source zone countries in South America and transit zones in the Eastern Pacific. The report shall include—

(1) a discussion of the need and costs associated with the establishment of a proposed fourth ROTHR site located in the source or transit zones; and

(2) an assessment of the intelligence specific issues raised if such a ROTHR facility were to be established in conjunction with a foreign government.

TITLE II—ENHANCED ERADICATION AND INTERDICTION STRATEGY IN SOURCE COUNTRIES

SEC. 201. ADDITIONAL ERADICATION RESOURCES FOR COLOMBIA.

(a) DEPARTMENT OF STATE.—Funds are authorized to be appropriated for the Department of State for fiscal years 1999, 2000, and 2001 for the enhancement of drug-related eradication efforts in Colombia, as follows:

(1) For each such fiscal year for sustaining support of the helicopters and fixed wing fleet of the national police of Colombia, $6,000,000.

(2) For the purchase of DC-3 transport aircraft for the national police of Colombia, the total amount of $2,000,000.

(3) For acquisition of concertina wire and tunneling detection systems at the La Picota prison of the national police of Colombia, the total amount of $1,250,000.

(4) For the purchase of minigun systems for the national police of Colombia, the total amount of $6,000,000.

(5) For the purchase of 6 UH-60L Black Hawk utility helicopters for the national police of Colombia, the total amount of $60,000,000 for procurement and an additional amount of $12,000,000 for each such fiscal year for operation, maintenance, and training.

(6) For procurement, for upgrade of 50 UH-1H helicopters to the Huey II configuration equipped with miniguns for the use of the national police of Colombia, the total amount of $70,000,000.

(7) For the repair and rebuilding of the antinarcotics base at Miraflores, $2,000,000.

(8) For providing sufficient and adequate base and force security for any rebuilt facility at Miraflores, and the other forward operating antinarcotics bases of the Colombian National Police antinarcotics unit, $6,000,000.

(b) COUNTERNARCOTICS ASSISTANCE.—United States counternarcotics assistance may not be provided for the Government of Colombia under this Act or under any other provision of law on or after the date of the enactment of this Act if the Government of Colombia negotiates or permits the establishment of any demilitarized zone in which the eradication and interdiction of drug production by the security forces of Colombia, including the Colombian National Police antinarcotics unit, is prohibited.

SEC. 202. ADDITIONAL ERADICATION RESOURCES FOR PERU.

(a) DEPARTMENT OF STATE.—Funds are authorized to be appropriated for the Department of State for fiscal years 1999, 2000, and 2001 for the establishment of a third drug interdiction site at Puerto Maldonado, Peru, to support air bridge and riverine missions for enhancement of drug-related eradication efforts in Peru, the total amount of $3,000,000, and an additional amount of $1,000,000 for each of fiscal years 2000 and 2001 for operation and maintenance.

(b) DEPARTMENT OF DEFENSE STUDY.—The Secretary of Defense shall conduct a study of Peruvian counternarcotics air interdiction requirements and, not later than 90 days after the date of enactment of this Act, submit to Congress a report on the results of the study. The study shall include a review of the Peruvian Air Force's current and future requirements for counternarcotics air interdiction to complement the Peruvian Air Force's A-37 capability.

SEC. 203. ADDITIONAL ERADICATION RESOURCES FOR BOLIVIA.

Funds are authorized to be appropriated for the Department of State for fiscal years 1999, 2000, and 2001 for enhancement of drug-related eradication efforts in Bolivia, as follows:

(1) For each such fiscal year for support of air operations of the Red Devils of Bolivia, $1,000,000.

(2) For each such fiscal year for support of riverine operations of the Blue Devils of Bolivia, $1,000,000.

(3) For each such fiscal year for support of coca eradication programs, $1,000,000.

(4) For the procurement of 2 mobile x-ray machines with maintenance support for placement along the Chapare highway, the total amount of $5,000,000 and an additional amount of $1,000,000 for each such fiscal year for operation and maintenance.

SEC. 204. ADDITIONAL ERADICATION RESOURCES FOR MEXICO.

(a) IN GENERAL.—

(1) AUTHORITY TO PURCHASE HELICOPTERS.—Contingent on the agreement of the Government of Mexico to approve full diplomatic

immunity for Drug Enforcement Administration personnel serving in Mexico with privileges granted to United States Government officials to carry weapons necessary for the performance of their duties, the Secretary of State, subject to the availability of appropriations, shall purchase 6 Bell 212 high altitude helicopters designated for opium eradication programs in the Mexican states of Guerrero, Jalisco, and Sinaloa, for enhancement of drug-related eradication efforts in Mexico.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State during the period beginning on October 1, 1998, and on ending September 30, 2001, $18,000,000 to carry out paragraph (1).

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) all United States law enforcement personnel serving in Mexico should be accredited the same status under the Vienna Convention on Diplomatic Immunity as other diplomatic personnel serving at United States posts in Mexico; and

(2) all Mexican narcotics law enforcement personnel serving in the United States should be accorded the same diplomatic status as Drug Enforcement Administration personnel serving in Mexico.

SEC. 205. MISCELLANEOUS ADDITIONAL ERADICATION RESOURCES.

Funds are authorized to be appropriated for the Department of State for fiscal years 1999, 2000, and 2001 for enhanced precursor chemical control projects, in the total amount of $500,000.

SEC. 206. BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS.

(a) QUALIFICATIONS FOR SERVICE.—Notwithstanding any other provision of law, any individual serving in the position of assistant secretary in any department or agency of the Federal Government who has primary responsibility for international narcotics control and law enforcement, and the principal deputy of any such assistant secretary, shall have substantial professional qualifications in the fields of—

(1) management; and

(2) Federal law enforcement, or intelligence.

(b) FOREIGN MILITARY SALES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, upon the receipt by the Department of State of a formal letter of request for any foreign military sales counternarcotics-related assistance from the head of any police, military, or other appropriate security agency official, the implementation and processing of the counternarcotics foreign military sales request shall be the sole responsibility of the Department of Defense, which is the traditional lead agency in providing military equipment and supplies abroad.

(2) ROLE OF STATE DEPARTMENT.—The Department of State shall continue to have a consultative role with the Department of Defense in the processing of the request described in paragraph (1), after receipt of the letter of request, for all counternarcotics-related foreign military sales assistance.

SEC. 207. REPORT ON TRANSFERRING INTERNATIONAL NARCOTICS ASSISTANCE ACTIVITIES TO A UNITED STATES LAW ENFORCEMENT AGENCY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the responsiveness and effectiveness of international narcotics assistance activities under the Department of State have been severely hampered due, in part, to the lack of law enforcement expertise by responsible personnel in the Department of State.

(b) REPORT REQUIREMENT.—

(1) IN GENERAL.—Not later than 3 months after the date of enactment of this Act, the Director of National Drug Control Policy shall prepare and submit to the appropriate committees a report, which shall evaluate the responsiveness and effectiveness of international narcotics assistance activities under the Department of State during the preceding 4 fiscal years.

(2) RECOMMENDATION AND EXPLANATION.—The study submitted under paragraph (1) shall include the recommendation of the Director and detailed explanatory statement regarding whether the overseas activities of the Bureau of International Narcotics and Law Enforcement Affairs of the Department of State should be transferred to the Department of Justice.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office on National Drug Control Policy $100,000 to carry out the study under this section.

(c) DEFINITIONS.—In this section, the term "appropriate committees" means—

(1) the Committees on Appropriations, Armed Services, Foreign Relations, and the Judiciary of the Senate;

(2) the Committees on Appropriations, International Relations, National Security, and the Judiciary of the House of Representatives; and

(3) the Select Committees on Intelligence of the House of Representatives and the Senate.

TITLE III—ENHANCED ALTERNATIVE CROP DEVELOPMENT SUPPORT IN SOURCE ZONE

SEC. 301. ALTERNATIVE CROP DEVELOPMENT SUPPORT.

Funds are authorized to be appropriated for the United States Agency for International Development for fiscal years 1999, 2000, and 2001 for alternative development programs, as follows:

(1) For startup costs of programs in the Guaviare, Putumayo, and Caqueta regions in Colombia, the total amount of $5,000,000 and an additional amount of $5,000,000 for each of fiscal years 2000 and 2001 for operation and maintenance costs.

(2) For each of fiscal years 1999, 2000, and 2001 for enhanced programs in the Ucayali, Apurimac, and Huallaga Valley regions in Peru, $50,000,000.

(3) For each of fiscal years 1999, 2000, and 2001 for enhanced programs in the Chapare and Yungas regions in Bolivia, $5,000,000.

SEC. 302. AUTHORIZATION OF APPROPRIATIONS FOR AGRICULTURAL RESEARCH SERVICE COUNTERDRUG RESEARCH AND DEVELOPMENT ACTIVITIES.

(a) IN GENERAL.—There is authorized to be appropriated to the Secretary of Agriculture for each of fiscal years 1999, 2000, and 2001, $23,000,000 to support the counternarcotics research efforts of the Agricultural Research Service of the Department of Agriculture. Of that amount, funds are authorized as follows:

(1) $5,000,000 shall be used for crop eradication technologies.

(2) $2,000,000 shall be used for narcotics plant identification, chemistry, and biotechnology.

(3) $1,000,000 shall be used for worldwide crop identification, detection tagging, and production estimation technology.

(4) $5,000,000 shall be used for improving the disease resistance, yield, and economic competitiveness of commercial crops that can be promoted as alternatives to the production of narcotics plants.

(5) $10,000,000 to contract with entities meeting the criteria described in subsection (b) for the product development, environmental testing, registration, production, aerial distribution system development, product effectiveness monitoring, and modification of multiple mycoherbicides to control narcotic crops (including coca, poppy, and cannabis) in the United States and internationally.

(b) CRITERIA FOR ELIGIBLE ENTITIES.—An entity under this subsection is an entity which possesses—

(1) experience in diseases of narcotic crops;

(2) intellectual property involving seed-borne dispersal formulations;

(3) the availability of state-of-the-art containment or quarantine facilities;

(4) country-specific mycoherbicide formulations;

(5) specialized fungicide resistant formulations; or

(6) special security arrangements.

SEC. 303. MASTER PLAN FOR MYCOHERBICIDES TO CONTROL NARCOTIC CROPS.

(a) IN GENERAL.—The Secretary of Agriculture shall develop a 10-year master plan for the use of mycoherbicides to control narcotic crops (including coca, poppy, and cannabis) in the United States and internationally .

(b) COORDINATION.—The Secretary shall develop the plan in coordination with—

(1) the Office of National Drug Control Policy;

(2) the Drug Enforcement Administration of the Department of Justice;

(3) the Department of Defense;

(4) the Environmental Protection Agency;

(5) the Bureau for International Narcotics and Law Enforcement Activities of the Department of State;

(6) the United States Information Agency; and

(7) other appropriate agencies.

(c) REPORT.—Not later than March 1, 1999, the Secretary of Agriculture shall submit to Congress a report describing the activities undertaken to carry out this section.

TITLE IV—ENHANCED INTERNATIONAL LAW ENFORCEMENT TRAINING

SEC. 401. ENHANCED INTERNATIONAL LAW ENFORCEMENT ACADEMY TRAINING.

(a) ENHANCED INTERNATIONAL LAW ENFORCEMENT ACADEMY TRAINING.—Funds are authorized to be appropriated for the Department of Justice for fiscal years 1999, 2000, and 2001 for the establishment and operation of international law enforcement academies to carry out law enforcement training activities, as follows:

(1) For the establishment and operation of an academy, which shall serve Latin America and the Caribbean, the total amount of $3,000,000 and an additional amount of $1,200,000 for each of fiscal years 2000 and 2001 for operation and maintenance costs.

(2) For the establishment and operation of an academy in Bangkok, Thailand, which shall serve Asia, the total amount of $2,000,000 and an additional amount of $1,200,000 for each of fiscal years 2000 and 2001 for operation and maintenance costs.

(3) For each such fiscal year for the establishment and operation of an academy in South Africa, which shall serve Africa, $1,200,000.

(b) MARITIME LAW ENFORCEMENT TRAINING CENTER.—Funds are authorized to be appropriated for the Department of Transportation and the Department of the Treasury

for fiscal years 1999, 2000, and 2001 for the joint establishment, operation, and maintenance in San Juan, Puerto Rico, of a center for training law enforcement personnel of countries located in the Latin American and Caribbean regions in matters relating to maritime law enforcement, including customs-related ports management matters, as follows:

(1) For each such fiscal year for funding by the Department of Transportation, $1,500,000.

(2) For each such fiscal year for funding by the Department of the Treasury, $1,500,000.

(c) UNITED STATES COAST GUARD INTERNATIONAL MARITIME TRAINING VESSEL.—Funds are authorized to be appropriated for the Department of Transportation for fiscal years 1999, 2000, and 2001 for the establishment, operation, and maintenance of maritime training vessels, as follows:

(1) For a vessel for international maritime training, which shall visit participating Latin American and Caribbean nations on a rotating schedule in order to provide law enforcement training and to perform maintenance on participating national assets, the total amount of $7,500,000.

(2) For each such fiscal year for support of the United States Coast Guard Balsam Class Buoy Tender training vessel, $2,500,000.

SEC. 402. ENHANCED UNITED STATES DRUG ENFORCEMENT INTERNATIONAL TRAINING.

(a) MEXICO.—Funds are authorized to be appropriated for the Department of Justice for fiscal years 1999, 2000, and 2001 for substantial exchanges for Mexican judges, prosecutors, and police, in the total amount of $2,000,000 for each such fiscal year.

(b) BRAZIL.—Funds are authorized to be appropriated for the Department of Justice for fiscal years 1999, 2000, and 2001 for enhanced support for the Brazilian Federal Police Training Center, in the total amount of $1,000,000 for each such fiscal year.

(c) PANAMA.—

(1) IN GENERAL.—Funds are authorized to be appropriated for the Department of Transportation for fiscal years 1999, 2000, and 2001 for operation and maintenance, for locating and operating Coast Guard assets so as to strengthen the capability of the Coast Guard of Panama to patrol the Atlantic and Pacific coasts of Panama for drug enforcement and interdiction activities, in the total amount of $1,000,000 for each such fiscal year.

(2) ELIGIBILITY TO RECEIVE TRAINING.—Notwithstanding any other provision of law, members of the national police of Panama shall be eligible to receive training through the International Military Education Training program.

(d) VENEZUELA.—There are authorized to be appropriated for the Department of Justice for each of fiscal years 1999, 2000, and 2001, $1,000,000 for operation and maintenance, for support for the Venezuelan Judicial Technical Police Counterdrug Intelligence Center.

(e) ECUADOR.—Funds are authorized to be appropriated for the Department of Transportation and the Department of the Treasury for each of fiscal years 1999, 2000, and 2001 for the buildup of local coast guard and port control in Guayaquil and Esmeraldas, Ecuador, as follows:

(1) For each such fiscal year for the Department of Transportation, $500,000.

(2) For each such fiscal year for the Department of the Treasury, $500,000.

(f) HAITI AND THE DOMINICAN REPUBLIC.—Funds are authorized to be appropriated for the Department of the Treasury for each of fiscal years 1999, 2000, and 2001, $500,000 for the buildup of local coast guard and port control in Haiti and the Dominican Republic.

(g) CENTRAL AMERICA.—There are authorized to be appropriated for the Department of the Treasury for each of fiscal years 1999, 2000, and 2001, $12,000,000 for the buildup of local coast guard and port control in Belize, Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua.

SEC. 403. PROVISION OF NONLETHAL EQUIPMENT TO FOREIGN LAW ENFORCEMENT ORGANIZATIONS FOR COOPERATIVE ILLICIT NARCOTICS CONTROL ACTIVITIES.

(a) IN GENERAL.—The Administrator of the Drug Enforcement Administration, in consultation with the Secretary of State, may transfer or lease each year nonlethal equipment, of which each piece of equipment may be valued at not more than $100,000, to foreign law enforcement organizations for the purpose of establishing and carrying out cooperative illicit narcotics control activities.

(b) ADDITIONAL REQUIREMENT.—The Administrator shall provide for the maintenance and repair of any equipment transferred or leased under subsection (a).

TITLE V—ENHANCED DRUG TRANSIT AND SOURCE ZONE LAW ENFORCEMENT OPERATIONS AND EQUIPMENT

SEC. 501. INCREASED FUNDING FOR OPERATIONS AND EQUIPMENT; REPORT.

(a) DRUG ENFORCEMENT ADMINISTRATION.—Funds are authorized to be appropriated for the Drug Enforcement Administration for fiscal years 1999, 2000, and 2001 for enhancement of counternarcotic operations in drug transit and source countries, as follows:

(1) For support of the Merlin program, the total amount of $8,272,000.

(2) For support of the intercept program, the total amount of $4,500,000.

(3) For support of the Narcotics Enforcement Data Retrieval System, the total amount of $2,400,000.

(4) For support of the Caribbean Initiative, the total amount of $3,515,000.

(5) For the hire of special agents, administrative and investigative support personnel, and intelligence analysts for overseas assignments in foreign posts, the total amount of $40,213,000.

(b) DEPARTMENT OF STATE.—Funds are authorized to be appropriated for the Department of State for fiscal year 1999, 2000, and 2001 for the deployment of commercial unclassified intelligence and imaging data and a Passive Coherent Location System for counternarcotics and interdiction purposes in the Western Hemisphere, the total amount of $20,000,000.

(c) DEPARTMENT OF THE TREASURY.—Funds are authorized to be appropriated for the United States Customs Service for fiscal years 1999, 2000, and 2001 for enhancement of counternarcotic operations in drug transit and source countries, as follows:

(1) For refurbishment of 30 interceptor and Blue Water Platform vessels in the Caribbean maritime fleet, the total amount of $3,500,000.

(2) For purchase of 9 new interceptor vessels in the Caribbean maritime fleet, the total amount of $2,000,000.

(3) For the hire and training of 25 special agents for maritime operations in the Caribbean, the total amount of $2,500,000.

(4) For purchase of 60 automotive vehicles for ground use in South Florida, $1,500,000.

(5) For each such fiscal year for operation and maintenance support for 10 United States Customs Service Citations Aircraft to be dedicated for the source and transit zone, the total amount of $10,000,000.

(6) For purchase of 5 CTX-5000 x-ray machines to enhance detection capabilities with respect to narcotics, explosives, and currency, the total amount of $7,000,000.

(d) DEPARTMENT OF DEFENSE REPORT.—Not later than January 31, 1999, the Secretary of Defense, in consultation with the Director of the Office of National Drug Control Policy, shall submit to the Committee on National Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services and the Select Committee on Intelligence of the Senate a report examining and proposing recommendations regarding any organizational changes to optimize counterdrug activities, including alternative cost-sharing arrangements regarding the following facilities:

(1) The Joint Inter-Agency Task Force, East, Key West, Florida.

(2) The Joint Inter-Agency Task Force, West, Alameda, California.

(3) The Joint Inter-Agency Task Force, South, Panama City, Panama.

(4) The Joint Task Force 6, El Paso, Texas.

SEC. 502. SENSE OF CONGRESS REGARDING PRIORITY OF DRUG INTERDICTION AND COUNTERDRUG ACTIVITIES.

It is the sense of Congress that the Secretary of Defense should revise the Global Military Force Policy of the Department of Defense in order—

(1) to treat the international drug interdiction and counter-drug activities of the Department as a military operation other than war, thereby elevating the priority given such activities under the Policy to the next priority below the priority given to war under the Policy and to the same priority as is given to peacekeeping operations under the Policy; and

(2) to allocate the assets of the Department to drug interdiction and counter-drug activities in accordance with the priority given those activities.

TITLE VI—RELATIONSHIP TO OTHER LAWS

SEC. 601. AUTHORIZATIONS OF APPROPRIATIONS.

The funds authorized to be appropriated for any department or agency of the Federal Government for fiscal years 1999, 2000, or 2001 by this Act are in addition to funds authorized to be appropriated for that department or agency for fiscal year 1999, 2000, or 2001 by any other provision of law.

The CHAIRMAN. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

AMENDMENT NO. 4 OFFERED BY MR. MCCOLLUM

Mr. McCOLLUM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. MCCOLLUM:

Page 5, line 25, insert the following:

(14) The Department of Defense has been called upon to support counter-drug efforts of Federal law enforcement agencies that are carried out in source countries and through transit zone interdiction, but in recent years Department of Defense assets critical to those counter-drug activities have been consistently diverted to missions that the Secretary of Defense and the Chairman of the Joint Chiefs of Staff consider a higher priority;

(15) The Secretary of Defense and the Chairman of the Joint Chiefs of Staff, through the Department of Defense policy referred to as the Global Military Force Policy, has established the priorities for the allocation of military assets in the following order: (1) war, (2) military operations other than war that might involve contact with hostile forces (such as peacekeeping operations and noncombatant evacuations), (3) exercises and training, and (4) operational tasking other than those involving hostilities (including counter-drug activities and humanitarian assistance);

(16) Use of Department of Defense assets is critical to the success of efforts to stem the flow of illegal drugs from source countries and through transit zones to the United States;

(17) The placement of counter-drug activities in the fourth and last priority of the Global Military Force Policy list of priorities for the allocation of military assets has resulted in a serious deficiency in assets vital to the success of source country and transit zone efforts to stop the flow of illegal drugs into the United States;

(18) At present the United States faces few, if any, threats from abroad greater than the threat posed to the Nation's youth by illegal and dangerous drugs;

(19) The conduct of counter-drug activities has the potential for contact with hostile forces;

(20) The Department of Defense counter-drug activities mission should be near the top, not among the last, of the priorities for the allocation of Department of Defense assets after the first priority for those assets for the war-fighting mission of the Department of Defense.

Mr. MCCOLLUM. Mr. Chairman, I wanted to speak for a few minutes about the issue that we talked about briefly in the general debate on the priorities that are set by our Department of Defense. They have a particular terminology they use over there about global military force policy in the Department of Defense. It is not a legislative matter; it is a matter of how they do a lot of things that perhaps we do not need to discuss here today on the floor, but one of those things is to set some priorities for the allocation of assets, military assets, presumably equipment, everything else. Unfortunately, today the way this works, there are things that just simply are not right with respect to this in my judgment.

The Department of Defense has a mission of anti-narcotics. But that anti-narcotics mission is way down the pipeline, and as a consequences of that, our Southern Command, which is in charge of all of our military forces in the Caribbean and Latin America principally concerned about the anti-narcotics effort, though there might be other defense measures and needs, our Southern Command is not able to provide the equipment and the manpower and the effort that Congress envisioned years ago when we designated a role for the military in the anti-narcotics effort.

Now I realize the Department of Defense budget has declined in real terms for 14 consecutive years, and I am one of the strong proponents of a tough and stronger military. I think we have let it deplete terribly. I think we have a problem with the absence of a ballistic missile defense system in this country. We should have deployed one a long time ago, and we should be deploying one today, especially in light of the Rumsfeld report where we know that there may be missile capabilities from some of our potential adversaries that can even reach our shores in the next 2 or 3 years with nuclear, chemical or biological weapons aboard.

□ 1215

I know that our young men and women are stretched beyond where they should be in deployments in far-reaching parts of the world today and peacekeeping missions like in Bosnia. The threat is certainly there for not only terrorism acts, but more serious matters even than that for our military with respect to the Middle East and Near East and so forth.

It is a dangerous world we live in out there and we very badly need to readdress our defense strategy and our defense resource allocation by this Congress. It is desperately in need. I am a former JAG officer in the Navy and I spent 20 more years in the Reserves after that, and I am around a lot of folks who have been on active duty and are today, and I know the morale is not good, the maintenance stream is not good, and while we have the finest men and women we would ever want out there serving, we have a lot to do.

So I can sympathize with the fact that DOD does not want to provide, because it does not think it has the resources, what it needs to, to SOUTHCOM in the antinarcotics efforts because it has a higher priority charge. But therein lies the problem.

The priorities that are currently set out in this global military force policy set of priorities says that there is, indeed, a 4-pronged measuring rod of how we allocate. Number 1 is in case of war, nobody disputes that. Number 2, for military operations other than war that might involve contact with hostile forces such as peacekeeping operations, and training; and number 4, operational tasking other than those involving hostilities. So we have the exercises in training coming ahead of the number 4 one, and number 4 includes counterdrug activities and humanitarian assistance.

The amendment I am offering today are findings to go along with the sense of the Congress that is already in this bill. We have expressed a sense of the Congress in this bill, in the last portion of it, which calls upon the Department of Defense, the Secretary of Defense and the Joint Chiefs of Staff to change these priorities, and to put the counterdrug activities up into the number 2 slot in priorities, not way down at the bottom along with humanitarian assistance. So that SOUTHCOM and our folks out there fighting the effort on the drug front can have what resources they need, at least competitively equal with those that are being sent to Bosnia or elsewhere for peacekeeping operations.

We are losing young men and women every day to drugs in this country. We need to be engaged in a war on drugs, a true war on drugs. That does not necessarily mean invading another country, but it means going in and assisting in every way possible, with airplanes and with ships, with manpower, with training and things like that, that we are simply not doing today, and to have a higher priority that they have in some of the things they are engaged in today I just do not agree with, and I do not think this Congress should agree with. That is why the Sense of the Congress resolution in the bill calls for those changes in priority to be made, asks them to be made.

Mr. Chairman, the amendment I am offering today would put findings of fact into the RECORD to support that by stating in the RECORD, the first part of it, that the Department of Defense has been called upon to support the counterdrug efforts, which we have done legislatively in the past, and all of the bases for this, in fact.

The CHAIRMAN. The time of the gentleman from Florida (Mr. MCCOLLUM) has expired.

(By unanimous consent, Mr. MCCOLLUM was allowed to proceed for 1 additional minute.)

Mr. MCCOLLUM. Mr. Chairman, the findings of fact involve, as I said, the statement of the fact that the Department of Defense has been called upon to support the counterdrug efforts; the fact that we have this global military force policy that has these 4 different provisions in it, in the order of priority with regard to asset allocation.

The next one is that the use of the Department of Defense assets is critical to the success of efforts to stem the flow of illegal drugs, and the next one is that the placement of counterdrug activities in the fourth and last list of priorities for the allocation of assets has resulted in the serious deficiency in assets vital to the success of source country and transit zone efforts to stop the flow.

The next finding says that at present, the United States faces few, if any, threats from abroad greater than the

threat posed to our Nation's youth, which I think is certainly true.

The next finding says the conduct of counterdrug activities has the potential for contact with hostile forces.

The final one says the Department of Defense counterdrug activities missions should be near the top, not among the last of the priorities, and that is what we do in the Sense of the Congress resolution.

So my amendment is simply a finding of fact that supports the Sense of the Congress resolution and sets forth the argument so everybody can read it, hopefully the Secretary of Defense will read it and hopefully the President will read it, about why we need to see them reorganize their priorities and put counterdrug efforts much higher at the top.

Mr. GILMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am pleased to rise in support of the amendment of the gentleman from Florida (Mr. MCCOLLUM), the chairman of the Subcommittee on Crime, to make the war on drugs a high priority at the Defense Department.

Make no mistake about it. This is a war we are fighting, fighting with drugs. Mr. Chairman, 15,000 deaths annually, 12 million property crimes annually, 70 percent of our violent crime, drug-related. More than half of our prisons are filled with those who either use, possess, or traffic in drugs. Clearly, U.S. national interest is at stake: fighting drugs which come from abroad and threaten our well-being. One President after another has said that this is a national security risk.

If Saddam Hussein was responsible for killing 15,000 Americans each and every year, we would clearly declare war on Iraq. I say it is time to declare a war on drugs and put our Defense Department on the front lines fighting this scourge.

Our Nation produces no cocaine, we produce no heroin. All of these poisons come from abroad, and we need our hard-working and over-extended law enforcement communities to have the full benefit, the full support and assistance of our outstanding military in doing their difficult tasks.

Accordingly, I commend the gentleman from Florida (Mr. MCCOLLUM) for his amendment in making our drug war a national priority, and I urge its adoption.

Mr. MCCOLLUM. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I yield to the gentleman from Florida.

Mr. MCCOLLUM. Mr. Chairman, I thank the gentleman for his support.

I want to make the comment that we have now received a few thoughts about what SOUTHCOM may need specifically, and we look forward to working with the Department of Defense in the coming year in the new Congress to develop even more new initiatives that may be helpful to them.

I want to thank the gentleman for his support. This reorganizing of priorities, our effort to give them new resources will not do any good if they do not reorganize their priorities.

Mr. GILMAN. Mr. Chairman, reclaiming my time, I thank the gentleman from Florida (Mr. MCCOLLUM) for focusing attention on this very critical problem.

Mr. MENENDEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I understand the nature of the gentleman's concern and effort, but I am concerned about the potential consequences that he may unintentionally have by virtue of the amendment.

In essence, the crux of the amendment is to make it very clear that the Department of Defense should change its priorities to raise the priority of, and therefore, the resource allocation to, counterdrug activities, and that is an admirable goal. However, it seems to me that when the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, who I think are eminently better positioned to determine what in essence are the needs of the Nation's defense, they need to analyze risks to the national security of the United States, and it seems to me that they, not the Congress, are the individuals who ought to make this decision.

In that respect, I am concerned. I look at the nature of the amendment, and the amendment talks about placing this as a priority above that established under the provisions of the global military force policy, which talks about missions of military operations other than war that might involve contact with hostile forces. Now, my understanding is that includes, for example, the efforts of the military under counterterrorism. We equally believe, obviously, that counterterrorism is an incredibly important function. Are we to say that using the military second only after war for drug intervention is more important than counterterrorism? I do not know. I do not think that we should be in that position.

So I think the amendment is somewhat arbitrary. It is not based on any factual assessment of the Department of Defense's needs, nor does it take into consideration the Department of Defense's priorities that this policy would have.

Mr. Chairman, I think it is important that we give flexibility, particularly in dealing with this grave threat, but I am not sure that we are in a position to analyze the threat to the national security at any given point in time better than those who have all of the intelligence resources and who have all of the readiness and understanding of what our military forces are capable of at any given moment.

Our military confronts threats around the world, doing more with less as they confront increasingly sophisticated and complex enemies. It seems to me that the experts and the proven military leaders who we put our faith and trust in in terms of the Nation's defense need to make these assessments. I do not know that we can make those decisions from this chamber on where our troops are needed in terms of equipment and resources. It appears to me that our military leaders ought to do that.

Now, certainly we want to be able to have the armed forces of the United States play a greater role in interdiction, but the amendment in essence says that it is the sense of the Congress that the Secretary of Defense should revise the priorities for the Department of Defense, and that this would be equal to or higher than the priority for the mission of military operations, other than war, that might involve contact with hostile forces. Well, if that includes counterterrorism, as I understand that it does, I am not sure that we can make those statements.

We have seen the vulnerability that the United States has, or for that matter any country in the world: recently the bombings in Africa. I am not quite sure, while we want to make an important statement, that the goal of the gentleman is best achieved in the manner in which he has offered it, and I think that there are some serious concerns in that regard.

Mr. TRAFICANT. Mr. Chairman, I move to strike the requisite number of words.

Narcotics is terrorism. Narcotics in America is the most serious terrorist threat we face. Narcotics coming across our border have basically not only challenged the spirit of American freedom, they have eroded not only our health and our youths' initiatives, but they have attacked us at the very fiber of our republic.

Individual freedom is being all that we can possibly be. I support this amendment. The tragedy in Congress is that I believe we do not even go far enough.

I will be offering an amendment that will, in fact, complement the McCollum amendment to ensure that at least the matter of narcotics is treated very seriously and at the highest levels of priority.

I think it is time to recognize that we do not have to hold a gun to someone's head to simply destroy their life. Narcotics have certainly torn away of the fabric of the quality of life in America. They have destroyed literally communities. They have destroyed our youth, they have corrupted our youth, and we have not done everything we possibly can.

So I think this is a mild measure, to a degree, but it is the beginning. The gentleman from Florida (Mr. MCCOLLUM) works that way, and he is to be

given credit for his legislative gains incrementally. I am glad to support it and I recommend a strong vote on behalf of the McCollum amendment.

Mrs. FOWLER. Mr. Chairman, I move to strike the requisite number of words.

I rise today in strong support of H.R. 4300, the Western Hemisphere Drug Elimination Act.

Between 1992 and 1995, there has been an increase in teen drug use of 105 percent. Now, let me repeat that staggering statistic. Mr. Chairman, a 105 percent increase in teen drug use in just 3 years. We can no longer just stand by and let this happen. It is our obligation to our children to address this issue.

Florida, the State which I represent, is one of our main entries for drugs coming into our country. The children in Florida are standing at the front door of this crisis. This bill will cut off the supply of drugs coming into not just Florida, but into our whole country, which means there will be less drugs on the street and the price will increase dramatically.

Mr. Chairman, this is simple economics. If the cost is outrageously high, then our youth will not be able to afford to purchase such drugs. We have to get serious about winning the war on drugs, and this bill does get us going in the right direction. By enhancing our interdiction efforts and through international eradication, we can win the war.

I was recently in Colombia, Guatemala and Costa Rica, and I met with the Presidents of those countries, 2 of whom are brand-new. All 3 of these men are honest. They are committed to their country's efforts to stop the narcotrafficking.

□ 1230

But they need our assistance. They need further enhanced assistance from our country. This is truly a war, which if we lose, then it will cause a continued loss of thousands of our young people. We are losing 14,000 to 15,000 a year now, and we need to stop this loss of life due to this gouge.

Mr. Chairman, I urge my colleagues to think of our American children's future and indeed the future of our country and support the Western Hemisphere Drug Elimination Act.

Mr. RANGEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support, not only of this amendment, but in support of the direction that the gentleman from Florida (Mr. MCCOLLUM) has taken on this issue. It just seems to me that, when we say Department of Defense, that we are talking about national security, we are talking about priority, we are talking about what threatens our Nation.

No one can challenge the fact that this poison that has been pouring into the United States by the tons each day has been a threat to everything that our country stands for and especially the protection of our youth.

Every President that I know, and more particularly President Reagan and President Bush, has made this a national foreign policy priority. Certainly the Department of Defense has no reason why they should not volunteer to make this a priority.

Certainly the equipment that we have to protect the United States against foreign foes can be used to protect us against the flow of drugs into this country since we have such sophisticated equipment against drug traffickers that are using sophisticated equipment.

I would like to say that, as we have this amendment that asks the Secretary of Defense to make this a priority, I would be supporting each and every amendment that would make this a priority with every Secretary of every branch of government.

Why should not the Secretary of Education make drug control and reduction of demand a priority? Why should not the Secretary of Health and Human Services make drug treatment and drug prevention a priority? Why should not the Secretary of State as relates to dealing with foreign countries make this a priority? Why should not the Secretary of Transportation say that all of those that are involved in transportation should be drug free and have it as a priority?

There is no question that the Secretary of Defense should mean exactly what the words say, defense of our great republic against any foes that could destroy her.

So let me congratulate those that worked so hard on this bill and to be able to say that whatever resources we have in the military, no matter what branch of the military, and even the CIA should be involved in determining what can they do to make our country more safe against the scourge of drugs.

So while I support this effort, I hope we continuously see in every committee, in every subcommittee, in every cabinet position, in every agency, in every department that we say this should be a priority. What is the good of a sound economic policy if our young people do not have the health in order to enjoy it?

Mr. MICA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, today the chickens have come home to roost. I say that because I want to review with you just for a minute where we have been on this issue. I was active as a Senate staffer some years ago on this issue when the Reagan administration created most of the laws and took an active and strong stand towards the question of illegal narcotics.

I say the chickens have come home to roost because we today see the results of a policy that has failed and that has put our Nation and our children at risk. We see a policy that was adopted by a President in 1993 that put in place as the chief health officer of our Nation, the Surgeon General, an individual who said just say maybe to drugs.

We have seen the destruction of the laws which we put on the books to certify drug producing countries and make a joke of them. We have seen the highest officer of the land say, if I had it to do all over again, I would inhale.

Mr. Chairman, we see the chickens have come home to roost. Let me read a few of these statistics. Current Illicit Drug Use Among Our Nation's Youth Continues to Skyrocket. This is a report of August 21 of 1998. Youth aged 12 to 17 using illegal drugs has more than doubled, 120 percent, a 27 percent increase from 1996 to 1997.

For kids 12 to 17, these are the latest statistics, first time heroin use, which is proven to kill, surged a whopping 875 percent from 1991 to 1996. The overall number of past month heroin users increased 378 percent from 1993 to 1997.

I submit the chickens have come home to roost. When we have a policy and we have an administration from 1993 to 1995 that cut our interdiction programs, that decimated our source country programs, that reduced the military involvement in stopping drugs come into this country, which destroyed the Coast Guard's ability to protect our coast and areas like Puerto Rico, the chickens have come home to roost, and we see the results.

This bill by my colleague the gentleman from Florida (Mr. MCCOLLUM) is the antidote. It is what the doctor has ordered. It directs our resources to the source countries. We know where the drugs are coming from, heroin and cocaine. They are coming from Colombia. They are coming from Peru. They are coming from Bolivia. And they are being transited through Mexico.

This puts the resources to stop drugs at their source, the most cost effective means of stopping drugs. So we have got to put Humpty Dumpty back together again. He has fallen off the wall. He has been destroyed. But it is going to take this legislation and subsequent legislation that we will hear today and tomorrow by this country to refocus our energy to stop drugs at their source.

I do not want to see another headline in my district with another teenager, a record number killed, dying a horrible death in central Florida, my peaceful central Florida that the gentleman from Florida (Mr. MCCOLLUM) shares with me. A fluent area, not a ghetto, not an urban blighted area, but the suburbs, the heart and core of this Nation has now been affected.

So it is something that really is important that we pass this legislation, this cost effective measure that is produced, not only to stop drugs at their

source by our efforts, but also training those who are involved in producing drugs at their source to help us interdict this death and destruction that is plaguing our streets and our children.

Mr. HASTERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I certainly support what the gentleman from Florida (Mr. MCCOLLUM) is doing. One of the things is, we talk about terrorism and we talk about drug use. When one talks about 14,000-plus kids and other Americans dying on our street corners every year, that is some kind of terrorism. That is a terrorism that we face day in and day out.

I have a brother who teaches in a middle school in Aurora, Illinois, who had children killed out of his classroom last year because of drugs and gang violence. That is certainly a terrorism that we face.

In reality, when one looks at the international side, one cannot separate drugs and terrorism because the narcotraffickers of South America and especially Colombia today, who were once ideologues that believed in the fight for a political reason, today are using almost $100 million a month in revenue from drugs to be able to move their causes.

So one cannot separate this type of terrorism of kidnapping and murder and things like that that goes on in Colombia and Bolivia from terrorism or drugs. They are intertwined. When one talks about bin Laden in the Middle East, there have been reports that there has been trafficking through Afghanistan and other Middle Eastern countries perpetrated by these folks and the profits that they made from drugs actually go for terrorism. So really we cannot separate terrorism and drugs because they are intertwined.

We need to allow the armed services, as the gentleman from Florida (Mr. MCCOLLUM) has done in his amendment, to weigh this evidence and try to make decisions that are good decisions, decisions that protect Americans, decisions that stabilize peace and tranquility not only in this country but other nations, and I really salute the gentleman from Florida (Mr. MCCOLLUM) for doing that.

Mr. MCCOLLUM. Mr. Chairman, will the gentleman yield?

Mr. HASTERT. I yield to the gentleman from Florida.

Mr. MCCOLLUM. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I just wanted to make a clarification, a comment for the gentleman from Illinois (Mr. HASTERT) and anybody else here, and that is my amendment today is not affecting the actual bill. The underlying bill has the sense of the Congress resolution in it that says that the question of asset allocation to the Department of Defense should be given the same priority as is given to the peacekeeping operations just after war, but it does set forth the findings of fact that form that predicate. I think we need to state that.

I think the gentleman has accurately and correctly stated the fact that we need to treat this on a wartime footing. It is the same as terrorism. It is our kids whose lives are being lost, and while if we were really at war against some nation, obviously we would be mobilizing and so forth, and that would be a little different and we do not ask that people put that over there at the Department of Defense on the same level but we are asking in the sense of the Congress that is in the bill and supporting it with this amendment findings of fact, that the Department of Defense recognize that it does have a high priority. It should be up there at least equal to those things they are doing elsewhere in the world that are short of war, and I think that is very justifiable.

I was not going to earlier but eventually I intend to ask for a recorded vote on this so we can go on the record on it and make sure that it does work.

Mr. Chairman, again, I thank the gentleman from Illinois (Mr. HASTERT) for yielding to me.

The CHAIRMAN pro tempore (Mr. QUINN). The question is on the amendment offered by the gentleman from Florida (Mr. MCCOLLUM).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. MCCOLLUM. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 537, further proceedings on the amendment offered by the gentleman from Florida (Mr. MCCOLLUM) will be postponed.

The point of no quorum is considered withdrawn.

PARLIAMENTARY INQUIRY

Mr. HASTERT. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HASTERT. Mr. Chairman, I think that this is a substitute motion, and I am not sure how we can proceed with other amendments if this motion is not voted on.

The CHAIRMAN pro tempore. The larger amendment in the nature of a substitute pending is the original text under the rule. What was just postponed was a request for a vote on an amendment thereto.

AMENDMENT NO. 2 OFFERED BY MR. HASTERT

Mr. HASTERT. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. HASTERT:

Strike section 303 and insert the following:

SEC. 303. MASTER PLAN FOR MYCOHERBICIDES TO CONTROL NARCOTIC CROPS.

(a) IN GENERAL.—The Director of the Office of National Drug Control Policy shall develop a 10-year master plan for the use of mycoherbicides to control narcotic crops (including coca, poppy, and cannabis) in the United States and internationally.

(b) COORDINATION.—The Director shall develop the plan in coordination with—

(1) the Department of Agriculture;

(2) the Drug Enforcement Administration of the Department of Justice;

(3) the Department of Defense;

(4) the Environmental Protection Agency;

(5) the Bureau for International Narcotics and Law Enforcement Activities of the Department of State;

(6) the United States Information Agency; and

(7) other appropriate agencies.

(c) REPORT.—Not later than March 1, 1999, the Director of the Office of National Drug Control Policy shall submit to Congress a report describing the activities undertaken to carry out this section.

Mr. HASTERT. Mr. Chairman, my amendment is a very simple amendment. It is a technical amendment. It came at the request of the chairman of the Committee on Agriculture, I think at the request of the Secretary of Agriculture. What we have done is asked the director of the Office of National Drug Control Policy to develop a 10-year master plan for the use of mycoherbicides to control narcotic crops of coca, poppy and cannabis in the United States and internationally, that is, to do the research.

Before, the original text of the bill asks the Department of Agriculture to do it. We think that this keeps it in more the focus of the ONDCP and it gives them authority to develop that 10-year plan for herbicides and we think that this is probably a correction and something that should be done in the bill.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Illinois (Mr. HASTERT).

The amendment was agreed to.

□ 1245

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

At the end of title V add the following new section:

SEC. 503. PROVISION OF ASSISTANCE BY THE ARMED FORCES TO THE IMMIGRATION AND NATURALIZATION SERVICE AND CUSTOMS SERVICE.

The Secretary of Defense shall assist in keeping illegal drugs out of the United States by assigning members of the Armed Forces to assist—

(1) the Immigration and Naturalization Service in preventing the entry of drug traffickers and narcotics into the United States; and

(2) the United States Customs Service in the inspection of cargo, vehicles, and aircraft at points of entry into the United States.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore (Mr. QUINN). Is there objection to the request of the gentleman from Ohio?

Mr. MENENDEZ. Mr. Chairman, I object.

The CHAIRMAN pro tempore. Objection is heard.

The Clerk will continue.

The Clerk continued reading the amendment.

Mr. TRAFICANT. Mr. Chairman, we just supported the McCollum amendment, and I congratulate the gentleman for incremental gains in securing America from illegal narcotics.

International narcotics traffickers are international terrorists. Period. Our borders have been overwhelmed by tons and tons of narcotics. One hundred percent of all the heroin, 100 percent of all cocaine is a stone cold import coming across not only our Mexican border but, contrary to what is the popular thought around here, our Canadian border as well, that can be assured, and through our many ports of entry and other security check points.

It has been pointed out that 14,000 kids die in America each year and the majority of them are victims of international narcotic traffickers who made available powerful drugs.

Mr. Chairman, who speaks today for the youth of America with noses running, eyes watering, stomach cramps, bowels breaking loose, pain and suffering, because no one really has ever really waged a war on drugs, as far as I am concerned?

There are some in the Congress that want to hand out free needles to make this destruction somewhat safer. Beam me up, literally. There is no intelligent life left here. Demand reduction is great. I would say to the gentleman from Illinois (Mr. YATES) education is great. Treatment? Cops? More cops, great. Psychiatrists? Psychologists? Absolutely marvelous. Slogans? Slogans are good. I am for them. Counselors? Teachers? Yes, we can use more. Chemotherapy? Methadone, use of narcotics to blunt the effect of narcotics? It has its place. Halfway houses? Hospitals? Free clinics? All great, I support them. Task forces? How many more blue ribbon panels will we support? I support them. They are all good; they are not good enough.

There was an amendment to the national security bill that the other body would not accept. It was abandoned, and I surely accepted that. It took 11 years to change the burden of proof in a civil tax case. Frankly, in my opinion there is not enough balsam in the United States Senate to do anything about this.

Mr. Chairman, I think the House of Representatives has been right on target. We have troops receiving a check from Uncle Sam in Frankfurt, cashing that check, going to the dinner theater. All the Traficant amendment says is the Secretary of Defense shall assist in keeping illegal drugs out of the United States by assigning members to the respective divisions to give it a hand. Now, if that is earth shattering, so be it. But I am going to ask a for vote again.

Mr. Chairman, we are not waging a war on drugs if we are continuing to treat addicts. It is time to deal with the supply side of this issue. The greater the supply, the lower the price. The lower the price, the younger the initiate. The younger the initiate, the greater the problem.

We can rehabilitate a 40-year-old alcoholic. How do we rehabilitate a 15-year-old heroin addict? It is not about rehabilitation, it is about habilitation. We are wrong. It is time to do something.

I am glad to see that the gentleman from New York (Mr. RANGEL) former chairman of the narcotics committee of the United States Congress, supports the initiative. I believe everybody with some common sense is beginning to recognize that all facets of our government have to assist with this tremendous problem.

Mr. Chairman, I am going to ask the Congress to once again stand up, the House of Representatives, and take the lead on straightening out this problem in our Nation.

Mr. McCOLLUM. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I think the gentleman's amendment is a good amendment. It is very straightforward. It simply says the Department of Defense and the military shall assist, and the word is "assist," no particular details to it, the Immigration and Naturalization Service and Customs in their efforts at antinarcotics.

Mr. Chairman, I think that is extremely important, particularly with regard to the Customs question. In this bill what we are proposing to do is to, in essence, put into the hands of Customs the full force of the air control and surveillance that we want to have, not only at our direct border but also over the source country region and in the transit zone, in the sense that they would get 10 planes, specifically designed P-3s with AWACS-type radar on them, to be the eyes that can look down and survey the area of the waters, that before these planes that might be coming to the United States with drugs can get here in the air over the source countries of Colombia, Bolivia and Peru, to keep track of all these craft that might be coming our way by air or maybe even by sea, since those planes have some of that capability too.

We are asking them to take care, Customs to take charge of all of this. We are giving them 10 more chase planes as well, a different form of the P-3 plane, adapted a little differently, asking them to go out and chase anybody that they find who is coming across with these drugs or coming our way from the source countries. They are not necessarily going to be as up to speed on doing all of the work in this regard as we would like them to be, because in the past, AWACS planes, the big radar planes, are and have been a military asset. They have been part of our Department of Defense inventory. Occasionally now, and in the past very often, but occasionally, like one-half a day a month I am told, an AWACS plane is on loan for our Southern Command to go down and take a little survey run to see if they can spot any of these planes flying around, trafficking in drugs.

Mr. Chairman, what Customs is going to have is a fleet of planes. It is going to have the money in this bill to be able to man those planes and operate those planes 24 hours a day around the clock over the source countries of Bolivia, Colombia and Peru, in the region, in the Atlantic, in the Pacific, in the Gulf of Mexico and the Caribbean, wherever that is needed; to fly that region; to map every single small, private plane flying in the region and keep track of it at all times; to be able to identify those planes, and then be able to communicate with other intelligence that information needed by the source countries in order for them to be able to force down planes that are identified as drug trafficking planes and to give our Customs forces, their adjunct sister force, the ability to go chase any of those planes that are coming across open waters or coming across our borders.

Now, that is an awesome task. In the past, to whatever extent that task has been performed, Customs has done some of it, but our Department of Defense has done a lot of it. So it is very appropriate that the gentleman from Ohio (Mr. TRAFICANT) is offering this amendment today that says that the Department of Defense shall assist Customs in its effort at antinarcotics, because that assistance may well be training. It may well be helping them with the details of what they need to know and how to do these things. It may well be some minor, albeit not large and expensive, item of equipment that they need on an emergency basis for assistance.

We do not know what it may be, but there needs to be in this bill, and I think the gentleman is making a great addition, an explicit direction to do this. This is different from the amendment we just took a vote on on the asset allocation reprioritization. That is very important too, that they make a policy change to do that so that there are assets available and other things that we do not know what equipment it might be, manpower or

whatever of the Department of Defense itself. That priority needs to be changed so it cannot get lost down there somewhere.

This is different. This is saying they shall go forward and assist in these ways so they have specific authorization, if it is not already clear in law, and I do not know that it is, that they will help Customs do these things and, to some extent, Immigration and Naturalization and Customs.

Mr. Chairman, I support the gentleman's amendment. I thank him for offering it. We need to wage a real war against drugs, and only if we have the Department of Defense at least involved in assisting can that be done.

Mr. SHAW. Mr. Chairman, I move to strike the last word.

Mr. Chairman, back when I was a freshman in this institution, we passed on the floor an amendment that I put forth, and that was to strike the provisions which prevented the military from getting involved in law enforcement, with a specific reference and specific thought towards what they have since contributed since we have modified the posse comitatus laws of this country. That is a giant step forward.

Before we passed that particular amendment in this Congress, and the final passage was in the next Congress because we could not talk the Senate into such a radical position, can my colleagues imagine where we would be now without even the surveillance activity of the Armed Forces with the sophistication that the bad guys are using to bring drugs into this country?

There is no question in my mind that any country in this world that protects or refuses to cooperate in harboring the drug dealers and the drug industry, whether they be growers or processors, they are terrorist nations by allowing these things to continue within their own borders.

Actually, I would like to see at a future date, and I believe we will see at a future date, going further than what the gentleman from Ohio (Mr. TRAFICANT) wants to do in this particular amendment, Mr. Chairman, when we can go in and take out laboratories that are producing weapons of mass destruction, germ warfare, chemical warfare, all of these things, where we are going in and stopping the spread of it in Iraq or Libya, wherever we see it on the face of this globe. What is more terrifying to the future of this country or more destructive to our youth than the processing of drugs and then turning a blind eye as they come into our shores?

I think it is a good amendment. Anything we can do to further the role of the military in this regard is to the advantage of our country and I would urge the acceptance of the amendment.

Mr. REYES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, for the purposes of understanding the gentleman's amendment, I would ask the gentleman from Ohio (Mr. TRAFICANT) for clarification. Can the gentleman tell me, is he proposing what he has proposed in the past, that the Secretary of Defense shall assist by placing troops on the border? What exactly did the gentleman have in mind?

Mr. TRAFICANT. Mr. Chairman, will the gentleman yield?

Mr. REYES. I yield to the gentleman from Ohio.

Mr. TRAFICANT. Mr. Chairman, it does not specify exactly what that assistance is. It just makes in order the understanding that the Congress of the United States wants the Secretary of Defense and our military to be one of the participants in the effort and to assist where they can. It does not make specifications.

It differs from the previous amendment, which called for specific training, specific activities when assigned; the training, the law enforcement aspect. This just calls for an assistance in a broad term and broad form, and a commitment to assist, and a direction and mandate of the Congress that the Defense Department shall assist where they can and where it is acceptable to do so.

PARLIAMENTARY INQUIRY

Mr. REYES. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. REYES. Mr. Chairman, what I would like to know is what is the procedure to amend the amendment to make sure that we are talking about assistance from the Department of Defense by way of what the gentleman from Florida (Mr. MCCOLLUM) mentioned in terms of equipment, in terms of being able to track planes and those things, and specifically not troops on the border?

□ 1300

The CHAIRMAN pro tempore (Mr. QUINN). The Traficant amendment is subject to amendment, so the gentleman from Texas would have to draft an amendment and, of course, send it to the desk.

Mr. REYES. And Mr. Chairman, what is the time frame for that? Do I have to do it immediately?

The CHAIRMAN pro tempore. The time frame is very soon; during the debate of the amendment that the gentleman from Ohio (Mr. TRAFICANT) has offered, which is right now.

Mr. REYES. I thank the Chairman, and I thank the gentleman for clarifying for me his amendment.

Part of the concern that I have is we just recently settled with the family in Redford, Texas, $1.9 million for the death of their son, who died as a result of an incident along the U.S.-Mexican border which, unfortunately, was involved with specifically military units on the border patrolling in assistance to law enforcement.

I have the background of 26½ years of Federal law enforcement on the U.S.-Mexican border. I am very concerned about periodically the attempts in this House, in the people's House, to put forth a policy, a law, a procedure, or a process where we would make such a situation where military troops would be on our border to help law enforcement.

I am reminded of the analogy where we have a very rich dessert that looks good, it tastes good and it feels good. But although while we are eating it we think it is good for us, it does not have any nutritional value. It adds fat content to our body, and, ultimately is very detrimental to us. And that is exactly the point I want to make here this afternoon about putting troops on the border.

If the amendment is to bring military assets, such as radar, such as being able to track airplanes, such as being able to assist law enforcement in identifying routes but specifically excluding military patrols on the border, then I do not have any objection to it. In fact, in the past it has been a very effective policy. I worked on the border. I worked in south Florida. I can attest to the fact that we do need that kind of capability.

One other concern that I want to bring forth here is that we cannot possibly have it both ways. I just came here from a hearing where we listened to testimony from U.N. Inspector Scott Ritter about the situation in Iraq. Part of the concern and the testimony that we are hearing now is the readiness factor that we have right now and our inability at this point, and the concern from the national security perspective, that we would not be able to do a Gulf War type operation today.

So we cannot have it both ways. We cannot continue to bring forth, because it sounds good, because it feels good, a proposal to have the military participate in the war on drugs and then expect them to do and carry out their mandates.

Mr. HASTERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I stand in support of the gentleman's amendment. I have been working on this not as long as some, but the last 4 years, and we see in the eastern Pacific where cocaine would come up from Mexico or would come up from Colombia or would come up from Peru unfettered, unstopped. Why? Because we have not one ship, Navy ship, Coast Guard ship, or anything else in the eastern Pacific to stop trainloads of cocaine in the bottom of fishing boats and luxury liners and freighters and cargo containers. Even though we have the intelligence to do it, we cannot do it. The resources are not there.

I have seen classified programs in the eastern Pacific and the Caribbean, both

in the western Caribbean and the eastern Caribbean, dropped. They are not there. Why? We do not have the resources to do it. Meaning we have literally tons and tons, and hundreds of tons of cocaine and marijuana and, in some cases, heroin coming up through our island chains through the Bahamas, through Puerto Rico, through the Dominican Republic. Why? Because we do not have the resources.

The gentleman from Florida (Mr. MCCOLLUM), who spoke before, talked about having an AWACS one-half a day a month. If there are 30 days in a month, round it off, and we have a half a day, that means that any narco-trafficker, moving narcotics by air or by sea from Mexico or Colombia or through the Mediterranean or through the eastern Pacific, has 59 out of 60 chances of success because we do not have the AWACS to do that.

Now, do we need AWACS? No, all the AWACS are in the Middle East or they are up in Alaska. Fine. But we do have P-3s. I was in Monthan Davis Air Force Base last winter just to see what inventory we had there. We have P-3s by the score, with the radar domes and everything else we see sitting on the ground. They are there. The resources are there. Why not be able to use the resources that we already have to put eyes in the sky and stop the drugs?

Finally, I have to address the problem that the gentleman just talked about. I was in Texas. I spent 4 long days in Del Rio and Eagle Pass; talked to a lot of people; talked to ranchers; talked to people who have kids in school. It was 115 degrees. And I tell my colleagues, that is a tough place to live. Walking out in that desert, and whatever else it is, there is something that will either scratch you, bite you or eat you. Unfortunately, we are losing scores of people who are dying in that desert, being brought across the border by what they call "coyotes," and are forced to swim and they are drowning. They are moving through that desert and they are dying, but a lot of those people are dying with backpacks on their back with illegal narcotics.

Now, we can have observers helping law enforcement sitting there watching. I had ranchers tell me, a group of about 50 ranchers that came and sat and we had a long discussion one evening, it was in Del Rio, Texas, and they were saying, "We do not understand." They feel the United States Government has abandoned them. Those were their words. They feel we do not care because we have taken the troops away from the border. And they are saying that they cannot leave a tractor sit out in their field, these ranchers right along the Rio Grande River, because people come over at night, steal the tractors, steal the parts, and they are gone.

They talked about people shooting into their houses, into their ranches. And these are people that have been there for five and six generations and are losing the ability of having the right of their land, the right of their homes, because there is nobody there to protect them.

Now, what has happened, and this meeting was set up by the Border Patrol to sit down and be able to talk to these people, the same people the gentleman worked with over the years. And I am not sure if the outcome of the meeting was what the outcome of the meeting was intended, but this was the story that rolled out. These people feel that they are abandoned American citizens because there is nobody there to protect them. The Border Patrol can do some things, but they are rolling along. They are not sitting there and being observers hour after hour.

We need the help. If the Secretary of Defense deems it necessary, if he deems it wise to do, we need to give people the options to do these things.

AMENDMENT OFFERED BY MR. REYES TO THE AMENDMENT OFFERED BY MR. TRAFICANT

Mr. REYES. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. REYES to the amendment offered by Mr. TRAFICANT:

On line 7, strike "members of".

On line 14, add the following new sentence, "Nothing in this amendment shall be construed to authorize the deployment of the Members of the Armed Forces in contravention of United States law for the purposes of this amendment."

Mr. REYES. Mr. Chairman, first of all, in my 5 minutes I wish to address some of the comments my colleague from Illinois made.

I just want to, first of all, tell my colleagues that one of the things we need to understand and remember here is that if the intent is to control and to stop the flow of narcotics into this country, then we have to realize that 90 percent of the drugs that flow across the U.S.-Mexican border, 90 percent of the drugs that flow across the U.S.-Mexican border, come through the ports of entry. Statistics show us that only 10 percent come in between the ports of entry, and have nothing to do with some of the concerns that the gentleman raises.

That is point number one. Point number two is that we in this Congress, for the last several years, and for 2 or 3 years henceforth, have taken it upon ourselves to increase the number of resources specifically intended for the United States Border Patrol. We have doubled their force. By the year 2001, we are going to have a Border Patrol force that will exceed 10,000 officers.

I am a cosponsor of a bill that was introduced, bipartisan bill introduced by the gentleman from California (Mr. HUNTER) that states that we want to take the Border Patrol up to 20,000. I think that if we will continue on that course, giving the United States Border Patrol the resources necessary to do the job, it does several things.

First of all, we have trained, professional Federal law enforcement agents that understand and are recognized as being part of the law enforcement presence along the border. They understand the culture, they are bilingual, they are expected to be there, and it makes sense. That is part of what I think we ought to be about in terms of addressing the strategy in between the ports of entry.

Second thing is that I am also a cosponsor of a bill that will give additional resources to Customs. We have to understand that in order to be successful at the ports of entry, we have to do two things. First of all, we have to send a strong law enforcement presence; and, secondly, we have to facilitate commerce. That has been part of the argument and part of the frustration that I have faced here, and other Members from the southern border, from the U.S.-Mexican border have faced here in this Congress, is that we want and expect people to settle for different rules between the United States and Mexico and between Canada and Mexico. That was the premise of the argument in section 110.

So what we are trying to do is put forth some public policy and resources that, first of all, do the job; secondly, do not endanger border communities; and, third, have people understand that there is a better way of doing things.

Mr. MENENDEZ. Mr. Chairman, will the gentleman yield?

Mr. REYES. I yield to the gentleman from New Jersey.

Mr. MENENDEZ. Will the gentleman be addressing the amendment that the gentleman has offered as well?

Mr. REYES. Yes, I will.

MODIFICATION TO THE AMENDMENT OFFERED BY MR. REYES TO THE AMENDMENT OFFERED BY MR. TRAFICANT

Mr. REYES. Mr. Chairman, at this point I want to ask unanimous consent to make a technical modification to my perfecting amendment to change the last word "amendment" to say "section".

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Modification offered by Mr. REYES of Texas to his amendment:

Strike out the word "amendment" in both places that it appears and insert in lieu thereof "section".

The CHAIRMAN pro tempore. Is there objection to the modification to the amendment offered by the gentleman from Texas (Mr. REYES)?

There was no objection.

Mr. REYES. Mr. Chairman, what is my remaining time?

The CHAIRMAN pro tempore. The gentleman has 1 minute of time remaining.

Mr. REYES. Again, in summary, and again concluding as to the perfecting amendment that I have before this House, I hope that this body understands that there is a reasonable way

to address the problems that we face against narcotics trafficking and against those that would perpetrate criminal acts against border residents.

I understand. I spent 26½ years working the area. I understand what my colleague from Illinois is talking about. But I think that we have to respect a process that takes into account the fact that border residents are United States citizens also, and they deserve and should expect the same kinds of protections and the same kinds of rights and privileges that the rest of the country has.

□ 1315

Mr. HASTERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I stand in opposition to the perfecting amendment, or the secondary amendment. Basically a couple of things. The gentleman from Texas said that 90 percent of all the drugs go through ports of entry. We are doing a better job quite frankly because we have given Customs better and more technical equipment and this bill does that, too. So we have a parallel interest here. But as you start to shut down the ports of entry and do a better job, especially in places like El Paso and Laredo and on and on down the line, the next place and the next porous area along the border is the Del Rios and the Eagle Passes and the place where there are no ports of entry, so these are the areas where they are coming through and it is tougher to do it. You do not bring it through by a truckload, you put it in backpacks on 20 people and have them march across the river, go through the desert to the next highway. That is what is happening. That is a fact. When they do that, they trample across people's property. They are outlaws in the first place. They are taking and shooting at people's homes, moving them out, terrorizing people along there.

We are just saying, a simple fact, that if the Secretary of Defense is asked and has an option to put people down there to help observe and help the Border Patrol, it was interesting because my discussions with the Border Patrol and especially in Del Rio and Eagle Pass is that they thought they worked well with the military observers that were there.

Mr. Chairman, I regretfully oppose this amendment.

Mr. MICA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to speak against the Reyes perfecting amendment and in support of the Traficant amendment.

Mr. Chairman, we have lived in a land of "maybe" for 5½ years now. We have lived in a land of we should do this and we should do that but we have not done this or that. Ladies and gentlemen, we have seen again the results, and I do not want to repeat them, but the results are devastating on our children and on the flow of drugs and illegal narcotics into this country.

The question before us is, shall we use the military along our borders to protect our borders in the interest of national security? I strongly support the gentleman from Ohio (Mr. TRAFICANT). Mr. Chairman, if this Nation has ever been under attack, it is now. If you do not count 15,000 deaths per year and add up in the last 5½ years the number of innocent Americans and mostly young people who have died on the streets and in our neighborhoods and in our communities, you cannot say that is not war. The total is more than the casualties, the fatalities in the Vietnam War and the Korean War and in the Persian Gulf War. I submit that we have 2 million Americans in prison behind bars locked up at public expense. Any sheriff, any law enforcement officer will tell you that 70 percent of them are there because of use of illegal narcotics. If this is not a national security threat, if we have not seen enough lives destroyed in our communities, whether it is Plano, Texas; Los Angeles, Detroit or my central Florida, I do not know when we will recognize the problem. And here we are in our Nation's capital, the United States of America, Washington, the District of Columbia. I have been coming here for 18 years. And every week I have read the obituaries. Every year 3 to 400 young black Americans have been slaughtered in the streets here because people will not stand up and take a stand against illegal narcotics and trafficking. That is thousands of lives lost in this Nation. And here we are debating "shall" or "should." It is time to stop playing games. The gentleman from Ohio (Mr. TRAFICANT) is correct.

Fifty percent of the drugs have come in from Mexico. Here are the reports, we have held hearing after hearing. Here are the reports. There are facts. The drugs are coming in across the borders. We must use every possible means to stop them. In this poll-driven city, everyone relies on polls. Here is a poll taken September 15, 1998, 60 percent of Americans say the use of military patrols along the border to stop drugs is either an excellent or very good idea. So hide behind polls but do what we need to do, because if drug dealers were to lob missiles across our borders, they could not do any more damage than they have done to this Nation's capital, to the streets of America. So do not come up with these last-minute "should," "maybe" or "possibly." This is a time for action. We need to defeat the Reyes amendment. We need to support our colleague on the other side of the aisle and let us go forward and stop this travesty on our youth and this Nation.

Mr. RODRIGUEZ. Mr. Chairman, I move to strike the requisite number of words. That was a very passionate speech. Let me just talk about the fact that we do have a real serious problem in this country, but part of that seriousness is taking an obligation that we also have a problem in this country, in this country in terms of what exists in our area and providing that assistance to those individuals. I would ask to those individuals who stand up here and talk to also inquire how many times they are willing to fund those programs that are out there and those youngsters that are in need of those programs to be able to respond to some of their concerns and some of the problems that they have.

Mr. Chairman, as a member of the Committee on National Security and a member representing communities along the U.S. border, I represent two counties right on the border in the Rio Grande. I oppose the amendment offered by the gentleman that would allow the troops to go in there and I support the amendment, the substitute that is being submitted by the gentleman from Texas (Mr. REYES). An increase of U.S. troops on the border with Mexico is a dangerous proposal that would put border residents in danger and reduce military readiness. I would repeat that again. It is going to reduce military readiness. Our military is the world's best trained fighting force. They are not police officers. They are not Border Patrol agents. They are trained to fight. We put our own citizens at risk by deploying them on American soil. I represent two counties, as I indicated, right on the Mexican border. In the town hall meetings that I have had during the month of August, I had 11 town hall meetings during the month of August, not once did anyone raise that this is a key issue that we need to do. In fact most of my constituents do not approve putting troops on the border. We do have existing troops that are working there now that are working directly with the Border Patrol, that are working there directly with the Customs. Those individuals are doing a tremendous job. But to put them in the way that we have had them in the past that has created problems is not the way that we should approach this.

Again I would indicate to the gentleman that spoke before, it is fine to scapegoat other countries, but we have a responsibility to take and fight it here at home, also, because our citizens are the ones that are also choosing to also take those drugs. Border residents just like everyone else want to stop the influx of illegal drugs. They believe in stopping the flow of undocumented immigrants. But the solution they support is more Border Patrol that are well qualified, more Customs Service agents which we have failed to put enough money to assure that we have those Customs individuals. The Customs Service is the one that opens

those trunks, is the one that looks into those cars. Those are the individuals that we should be supporting. Those are the individuals that we should be increasing their budgets. That is where the trade has increased and doubled and tripled in the last few years, but we have failed to put enough resources for the Customs where it is needed.

In the last two years, an 18-year-old young man, an American citizen, was shot to death by a Marine on the border in Redford, Texas. That particular case after it came out, and this was a tragic incident that highlights the complexity of this issue, and places our soldiers on the border and the potential harm to other residents. The military itself has come back after the settlement, has indicated that it was a very serious mistake to even put those Marines there on the border. They were there in camouflage as they worked the border. They shot this innocent young man who was in high school and he was out there herding his goats. They shot him. They indicated there after the settlement, and it is no wonder, that the Department of Defense and the Department of Justice and the Immigration and Naturalization Service, all of them, oppose this process. The Border Patrol, they have nearly 8,000 agents patrolling the national borders. Congress has authorized an additional 1,000 agents up to the year 2001. We are going to have an additional 1,000 agents on the border. Last year the San Antonio Express-News pointed out that the Redford incident may be isolated but the warning against deploying soldiers into an area lawfully and peacefully used by private citizens needs to be seriously looked at.

Mr. Chairman, again let me inform my colleagues that I serve on the Subcommittee on Military Readiness of the Committee on National Security. At the time when readiness concerns are at their highest and with troops sent for extended periods to Bosnia and elsewhere, we cannot afford to pull additional men and women away from their posts to do work that Border Patrol agents should be doing. It is unfair to our fighting men and women and it does harm to our national interests.

I ask that we support the Reyes alternative.

Mr. HINOJOSA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, when this issue last came before the House in May, I said it was a wrongheaded measure. My sentiments have not changed, not one iota in the intervening months. As I said when I spoke at that time, all of our budgets are tight. I certainly have been trying to find precious dollars for items that I deem of much higher priority than this, items such as funding higher education, programs which are badly needed throughout the country.

As a member of the Committee on Education and the Workforce, I can vouch for that. Now, the gentleman from Ohio (Mr. TRAFICANT) is proposing asking us to fork over tens of millions of dollars for a program that is not only costly but unnecessary. Putting troops on our borders is simply a bad use of government resources and taxpayer dollars. These funds could better be used for training our armed forces for military readiness, not performing the jobs of Border Patrol agents.

This country already benefits from the work of highly qualified, highly trained Border Patrol agents who courageously and skillfully enforce our Nation's laws and protect our borders on a daily basis. I have said it before and I will say it again, to replace these INS agents with military troops is simply a bad idea.

For that reason, Mr. Chairman, I urge all my colleagues to vote against the Traficant amendment today.

Mr. Chairman, I yield to the gentleman from Texas (Mr. REYES).

Mr. REYES. I thank the gentleman for yielding. One of the things that my colleagues will recall, Mr. Chairman, I started out by asking my colleague from Ohio specifically what he intended or what the intent of his amendment was. Based on that conversation, I offered my perfecting amendment. The issue here, and this should be of concern to all of us, are those that think that we here in this body should adhere to a quick fix at any price. We have already seen one young man killed on the Texas-Mexico border as a result of military troops on the border. I would ask my colleagues that are so intent on protecting the neighborhoods, does that mean that they are willing to deploy United States military resources to the neighborhoods in Washington, D.C. and Florida and Kansas and Illinois and the areas that they represent? I think not. We cannot afford it. We should not subject neighborhoods to that kind of military presence. Yet that is the very thing that they are proposing in the context of the amendment that is offered that they are opposed to a perfecting amendment that would preclude border neighborhoods from seeing and having to deal with troops on our borders.

Part of the process of understanding those that want that quick fix, because of what we need to clarify here is that it is not inconsequential that those of us who represent border communities are opposed to military troops in our communities and along our borders, the areas that we serve, the areas that we represent. No one should be enamored with a quick fix. No one should say, it is okay to put U.S. soldiers in jeopardy both professionally, legally and personally by deploying them to the border to do counterdrug operations.

□ 1330

That is not what they were trained for, that is not what they want, that is not what anyone wants that is involved in drug enforcement. INS does not support it, the Attorney General does not support it, the administration does not support it. Those of us that know and understand and have worked, not have gone for 3 or 4 days and suffered 115 degree heat and the bites of insects and everything else, those of us that have worked that area, in my case 26½ years, and in the cases of America's finest law enforcement officers that are serving us very well today, day in day out, 24 hours a day, they do not want troops on the border to complicate an already complicated and controversial part of the legacy of this country.

We should understand that there are no quick fixes. Quick fixes come with a tremendous cost. It has already cost the life of an 18-year-old high school student in Redford, Texas. I would submit that those of us that are so concerned about the deaths in this country throughout the neighborhood should take that into account.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to propound a question to the author of the main amendment, if he would be willing to respond. He and I have discussed this on many, many occasions, and I understand the seriousness of the problem that we are dealing with here, and I support the gentleman's amendment, as I have in the past on other times, that we have this debate before us.

But I listened to the debate of the gentleman from Texas (Mr. REYES), and I would have to tell my colleagues that I have tremendous respect for him, I have listened to his debates at great length, not only today but at previous times. He and I have the privilege of serving together on the Board of Visitors at the Air Force Academy, and his presentations are always very well thought out, very sincere, and his questions are right on target.

But today I have this question, I want to confirm this. It is my understanding that the Traficant amendment does not specify that there would be U.S. troops placed on the border.

Mr. TRAFICANT. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman if he would respond to that.

Mr. TRAFICANT. Mr. Chairman, the Traficant amendment does not mandate troops on the border but does not limit any action taken by the Secretary of Defense and our military to assist in drugs crossing our border.

So under the Traficant amendment, if the administration had so chosen, it has the option of using every asset they have to combat this problem. Under the Reyes amendment, they would limit it and take away the assignation of troops, if they would wish to assign to our borders, and I believe it is

a killing amendment, I believe it is designed to simply kill the total flexibility of the Pentagon to aid in the matter.

Mr. YOUNG of Florida. Mr. Chairman, I appreciate the gentleman's response, and I maintain my support for the gentleman's amendment and in opposition to the amendment to his amendment.

But, Mr. Chairman, I would also like to point out that as I read the bill and as I read some of the substitutes and some of the amendments that will be offered, there are quite a few references to the Department of Defense, the transfer of assets and the distribution of authorizing funds from a Defense Department account to a nonDefense Department account. And I just wanted to make the case to my colleagues that yesterday we appointed conferees to go to work with the Senate on the defense appropriations bill, and as we talk about any legislation that authorizes additional spending, we need to know that as we go to conference with the Senate now, we are approximately $5 billion apart between the two houses, and we do have, as my colleagues know, a cap that was set by the budget agreement of last year. And so we need to be very careful about what types of mandated Defense Department spending that we deal with here.

Mr. ORTIZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am a member of the Committee on National Security, and I do not know how many of my colleagues have had a chance to look at the military report that came out just recently. A military report earlier this month found that the marines involved in the fatal shooting on the border were not adequately trained for anti-drug operations that place combat-ready troops amongst civilians. The report found that the mission appears to have been viewed at every level of Marine Corps command as more of a training opportunity than a real world deployment. The failure to appreciate the difference has tragic consequences.

Mr. Chairman, I not only served in the military, I was in law enforcement for 14 years, and there is a difference being sheriff, with all due respect to my good friend, we both were sheriffs, in middle America than being a sheriff in a district that is very, very close to Mexico.

We talk about drug trafficking, we talk about illegal aliens coming into this country. What have we done about consumption? If we do not have consumption, and it is not only the United States, other countries are beginning to experience, and at one point they were considering only as being transshipment points. But it has changed now. Now Columbia, Costa Rica and other countries are beginning to have problems with consumption as well.

Mr. Chairman, this is something that we are going to have to work on together.

So, I have a lot of respect for my good friend, the gentleman from Ohio (Mr. TRAFICANT) but I do not think that the answer is putting troops on the border, even at the discretion of the Secretary of Defense.

So at this time I would just ask my colleagues to look back and see what has happened. Read the military report and see what it says. The training, my colleagues, is totally different.

Mr. SHAW. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Illinois (Mr. HASTERT).

Mr. HASTERT. Mr. Chairman, as my colleagues know, it was an unfortunate situation, tragic situation, that happened in Redford, Texas. I do not think anybody debates that. But we have tragic situations all over this country in my district, in my colleagues' districts, everywhere we are where kids are getting killed either by gang violence tied with drugs or by drugs themselves. So the teenager in Redford, Texas, who actually shot three times at the servicemen who were doing observations there, that was unfortunate. But there was three shots fired at those troops.

But let us look at and talk about this. What this allows is JTF-6 has basically suspended intelligence operations along the border. Last year they did 350 surveillance operations in conjunction with the Border Patrol and Customs and everybody else that made this system work, and now that action is largely suspended.

And if we talk about education, we should spend dollars for education, we can spend a lot of dollars for education, but as long as those kids have drugs in the classroom and those schools are in jeopardy of being shot up, I will tell my colleagues all the dollars in education does not do any good, at least where my brother teaches, in Aurora, Illinois.

Mr. SHAW. Mr. Chairman, in the time that I have remaining, I would like to underscore what the gentleman from Illinois said in opposition to the amendment to the Traficant amendment.

We have technical equipment out there, sophisticated defense-oriented equipment out there, that really needs the people in the Defense Department, our troops, to be able to monitor them and to operate and to be able to work in concert with law enforcement officials. And there is nothing that says that we cannot train some of our military personnel in law enforcement. We do it all the time with our military police. There is no reason we cannot cross-train these people.

The Traficant amendment does not mandate troops to the border; let us get this out of the way. But if my colleagues want to mandate that we can not in any way use our troops along the border, then support the amendment to the Traficant amendment which, as the gentleman from Ohio (Mr. TRAFICANT) says, is a killer amendment. It is a poison pill to the Traficant amendment, and I think it would certainly kill this amendment which is well thought out, when it is put in place. It does not mandate the placement of troops, and I would hope that we would defeat the amendment to the Traficant amendment and then support the Traficant amendment.

Mr. GREEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to join my colleague from Texas (Mr. REYES) in supporting his amendment to the Traficant amendment. I know my colleague, my other colleague from Texas who is here, the gentleman from Texas (Mr. ORTIZ), was a former sheriff like my colleague from Ohio is a former sheriff; but the background that I know of Congressman Reyes, and I knew of him long before he decided to run for Congress, he was an INS officer not only in the El Paso district, but also in south Texas a few years ago, and he showed us how we can handle the problem with illegal immigration.

He created the hold-the-line program that now INS is doing in California, and they are doing in south Texas and the Rio Grande Valley without military presence. He showed us how to do it, and that is why it is so important that we listen to his expertise in law enforcement and not necessarily even my colleague from Texas or my colleague from Ohio, because as my colleague from Texas (Mr. ORTIZ) mentioned, it is different to be a sheriff in middle America or even a sheriff in Texas than it is to be a law enforcement officer charged with the border protection that the INS does.

The hold-the-line was successful without military personnel. We have military personnel now on the border, and we know the tragedy that happened. That was just one tragedy, and one tragedy is too many, particularly the incident. And I know I heard from my colleagues that that young man took a couple of shots at somebody that was following.

Well, I also know, coming from Texas, the difference between a 22 rifle that a young man a 16-, 17-, 18-year-old may be using and someone carrying an M-16. So we know the difference between a 22 shell that does not have the velocity or the threat that maybe a bigger weapon does.

The concern I have is that we already have them for detection. They need to have more oversight there, more civilian cooperation, but that is why I support the Reyes amendment. We have the way that can be done, the success that can be done, and this Congress has passed every session more INS agents to go to the border and to institute

hold-the-line from the Rio Grande all the way out to the Pacific Ocean. We just have to put the resources there and not bring our military to have to guard our borders.

The United States has a great tradition of military only being used in national emergencies. Now I know the gentleman from Ohio (Mr. TRAFICANT) will make that case, and I have some constituents who are concerned about illegal immigration, but we have a way to solve it using civilian personnel without using the military.

And one last thing before I yield to my colleague from Texas. We also have a concern that our military is being overutilized or used in functions that they should not be done, not only around the world, but I think this is another case that we may be over-extending the military commitment that our country needs in using it to be a border patrol, and we can do that with civilian authority and keep our military highly trained to protect our Nation from terrorists and from foreign enemies and not just do civilian police work.

Mr. Chairman, I yield to my colleague, the gentleman from San Antonio, Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Chairman, I also wanted to add, I think of anyone here I think I am probably the only one that has worked as a case worker. I had a caseload of over 60 heroin addicts, and I worked for about 3 years with them. I worked about 2 years with adolescent substance abuse, and we do have a very serious problem. And one of those areas is in our backyard where we really need to come down, and I am going to give my colleagues one example:

In Bexar County during the 1970s, it was occasionally, every time the D.A. came up for reelection, most of my addicts were picked up, in all honesty, and those were some of the individuals that, yes, they might have been selling and, yes, they might have been using. But they were the ones that were fixing, they were not the ones who had the money, they were not the ones making the big profits.

There is a need for us to really look at our own backyards and go after those individuals that are making those millions. When that money comes in, there is someone there that is capable of dishing out several million dollars to get involved. Those are the ones that we need to get after, those are the ones that we need to make sure that we go after.

The other thing that I wanted to share with my colleagues, I think there has been some discussion talked about the fact that the military can provide assistance, and they are. They are doing a great job there with the Customs, they are doing a great job there in the form of assistance, but not in the form of troops.

We have a real serious situation with the budget, and it is time, as the gentleman from Texas (Mr. ORTIZ) has indicated, and I am also in the Committee on National Security, and we recognize the importance of the fact that we are real tight when it comes to the budget. But putting troops on our border is extremely costly and is a bad use of our scarce resources, and I would ask for support.

□ 1345

Mr. GALLEGLY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Reyes amendment and in support of the Traficant amendment.

Mr. Chairman, I support H.R. 3400, the Western Hemisphere Drug Elimination Act. However, I do with some disappointment over how the bill was handled.

As chairman of the Subcommittee on the Western Hemisphere, our subcommittee did not have the normal opportunity to hold hearings on this bill or to spend some time discussing the various provisions of the bill. That being said, I am still cosponsoring this legislation.

I certainly support any effort we can make to enhance our fight against illegal narcotics. I do not know of any Member in this body who would be opposed to making resources available for this effort. H.R. 3400 aims to reduce the drug flow into the United States by 80 percent over the next 3 years. This legislation is vital if we are going to stem the flow of drugs into our country and to protect our citizens.

This bill is plain and simple. It provides increased resources for international interdiction and eradication programs of the antinarcotics effort. This bill provides increased funding for alternative development programs which must be provided to convince coca growers that they can make a livelihood by producing other products.

Finally, the bill provides much-needed assistance to primary source nations such as Colombia, Peru and Bolivia to help them fight drugs. Demand reduction and domestic law enforcement are important parts of our anti-drug strategy, but we can no longer allow eradication and interdiction to lag behind.

We need to get back on track with a balanced anti-drug program that makes attacking drugs at their source and stopping their shipments a top priority.

This legislation will clearly help make a dent in the fight on drugs, and I urge its support.

Now, despite my strong support for this effort, there is one provision in this legislation which I am very uncomfortable with and one which I would have preferred further discussion on, at least before it was included in the McCollum substitute.

I believe this is one of those provisions which slipped into the legislation precisely because there was no committee consideration of the bill. That provision is found in section 201 regarding aid to Colombia. This provision, which may border on interference in Colombia's internal affairs, stipulates that if the Colombian government negotiates certain agreements in its attempt to end the bloody civil war which has engulfed the nation for the past 40 years, then we will cut off all antinarcotics assistance to that nation.

Now, Mr. Chairman, I agree that we do not want to see any peace agreement in Colombia which gives the guerrillas a free hand to continue to produce and ship lethal drugs into this country. But I do not believe we should be instructing or threatening the president of Colombia in a bill such as this in what the provisions of their peace agreement should be.

President Pastrana has only been in office now for 1 month, Mr. Chairman. He was elected with a mandate to end the civil war. He has made this his top priority. His job is a very difficult one. But for us now in this bill to threaten to tie one arm behind his back could jeopardize the peace negotiations before they even begin. This provision is premature. We have a very tough certification process, and if the Colombian government does negotiate a treaty which includes provisions which we cannot accept because they impact on the war on drugs, then Colombia could face decertification and their funds would be cut off. But let us give the new president of Colombia a chance. Let us not threaten or try to dictate what he should do to end the civil war.

Again, Mr. Chairman, I support the overall thrust of this bill. I applaud its authors; I am a cosponsor. But I would have preferred that this bill have gone through the regular order and the committees of jurisdiction have the opportunity to work on the provisions of the bill in more detail. Nevertheless, Mr. Chairman, I urge the adoption of the bill.

Mr. MENENDEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am concerned about those who would portray the debate as some who would be softer on fighting the interdiction of drugs into this country and others who would be tougher, and who can outtough who? The fact of the matter is that for those of us who are supporting this bill, as myself, we want to take a very tough stand on the question of interdiction.

The gentleman from Texas (Mr. REYES) raises a serious concern. Now, I have heard the language that has been used with reference to the Traficant amendment, but the language that has been used is not the words of his amendment. I have heard here about

observers. Fine. I have heard here about AWACS, fine. I have heard about helicopters. Fine. I have heard about surveillance. Fine. I have heard about intelligence. Fine. All of those things are fine. But to suggest that this amendment does not specify the use of troops on the border is not to read the amendment at least the way I read it.

What does it say? The Secretary of Defense shall assist in keeping illegal drugs out of the United States, by doing what? By assigning members of the armed forces, by assigning members of the armed forces to do what? To assist the INS in preventing the entry of drug traffickers into the United States. Where is that? Along the ports and borders. And the United States Customs Service and inspection of cargo vehicles and aircraft, at what? At points of entry into the United States.

Therefore, although one can say in debate that this does not mean that troops will go at the border, the amendment says the Secretary of Defense shall assist in how? By assigning members of the armed forces. And where? At the points of entry to the United States. That means U.S. troops on the borders.

Now, I asked my colleagues. I have heard those who are involved in the Committee on National Security, which I am not. I have listened to them and their expertise. I asked my colleagues. We have passed bills over the last several years for 1,000 new border patrol every year for the next 10 years. That means 10,000 new border patrols on the borders of the United States. I voted for that. I support that. But now, in addition to those 10,000 border patrols, we are talking about placing armed forces of the United States at the border.

No one has suggested, and the gentleman from Ohio (Mr. TRAFICANT) did not offer in his amendment nonlethal forces, which is what everybody talks about, but that is not what the amendment provides for. We could have provided for nonlethal forces so that we could have the surveillance, the intelligence, the helicopters, the AWACS and all of that, but that is not what is being provided for here.

Mr. Chairman, I would urge my colleagues who do, in fact, have a sense of what the national security of the United States is in the context of the number of troops that we need across the world, what are we doing? We have troops in Bosnia. We have troops in Macedonia. We have troops in Kosovo. We have troops in the Gulf, in north and south. We have troops in South Korea. We see the need to respond to terrorism in the recent attacks that took place in Afghanistan. We do not know where the next threat comes from, and we need to have the ability to respond to those threats.

Now, does anybody here want to fight drugs more than the next? No. My 2 children, I am concerned about them, as my colleagues are for their children and the children of the district my colleagues represent. But let us be honest. The fact of the matter is that we have a finite set of resources. Mr. Chairman, 52 percent of all of our monies right now are being used in domestic police protection along the borders. We are going to add to that another 1,000 border patrol a year for the next 10 years, 10,000 more.

Yes, we can have the ancillary services of the armed forces to assist that effort. But should we now take from all of the other efforts we need throughout the world, from our counterterrorism efforts that only have to increase because we are all the more susceptible, should we now take those troops and put them in lethal positions on the borders of the United States? That is what the legitimacy of the gentleman from Texas (Mr. REYES)'s point is.

We can support the amendment of the gentleman from Ohio (Mr. TRAFICANT) in the context of saying that the ancillary forces of the nonlethal aspects should be in fact used, but we should support the gentleman from Texas (Mr. REYES) in the context that lethal forces with our troops are already stretched throughout the world and the necessity to respond in what I have heard Members here speak so many times of 2 different theaters in the world in which our troops need to be able to respond.

Mr. Chairman, look what we are asking them to do: Respond in 2 different places in the world at the same time. All of the peacekeeping missions we have, all of the places we want them to support, all of the antiterrorism efforts we want to address, and in addition to all of that, we want to put them on the borders of the United States. We do want to fight drugs, but let us be intelligent about the way that we do it.

Mr. TRAFICANT. Mr. Chairman, I move to strike the requisite number of words.

We are not sheriffs today, we are lawmakers. I support the bill and the tremendous effort of the gentleman from Illinois (Mr. HASTERT) and the process that was developed to eliminate drugs in the Western Hemisphere. That is the bill.

I want to compliment the gentleman from New Jersey (Mr. MENENDEZ). He is a most capable leader on our side of the aisle, and certainly advancing himself up the ladder.

I want to talk about the Reyes amendment.

I have great respect for the gentleman from Texas (Mr. REYES). I support his bill to amplify and increase Customs. I support the bill of the gentleman from California (Mr. HUNTER) to increase border patrol. Increased border patrol, increased Customs is not going to eliminate drugs from the Western Hemisphere.

Let us talk about what the Traficant amendment would do. The Traficant amendment would allow the Secretary of Defense, after consultation with the White House and the administration and congressional leaders, to do everything in their power to mitigate and eliminate narcotics from our country. The Reyes amendment would limit the White House and the Secretary of Defense if they chose to take a specific course and allow for troops on our border.

The tragedy of Esequiel Hernandez cannot be overlooked. FBI agents have been killed in wrongful death shootings. American soldiers have been shot by their own company men. Do we throw out the army? Do we defund the FBI?

We are today targeting narcotics. The Traficant amendment is not targeting immigration.

Now, we have had that whole sphere constantly brought into this matter. We have painted anyone who takes this stand as having some sinister ethnic bias. That is very foolish. Very, very foolish.

I support every initiative on our borders to be fair, but I will say this to Members of Congress. We have not really engaged in a war on drugs. The gentleman from Florida (Mr. SHAW) knows that; the gentleman from Florida (Mr. MICA) knows that. We all know that. We are now debating the politics of how the Pentagon can assist us.

The Reyes amendment says, even if we want to, we cannot. The Traficant amendment says, we do not have to do anything but assist, but we want you to assist and we do not limit you in any way.

Now, I want to talk about 14-year-olds in Youngstown, Ohio who buy brown Mexican heroin every day. If, and I say this to the Committee on National Security, if 5 tons of heroin can be brought across our border, is it not a fact that a nuclear warhead can come across our border?

□ 1400

I am asking that question today. Our border is a national security checkpoint. It should be treated as such. We should not limit the Secretary of Defense in any of his capacities.

So if we vote for the Reyes amendment, we vote technically to put a limitation on what we do and how we do it as a Nation. I think it is time to take the shackles off. I think it is time to let our Nation truly engage in the battle against drugs. We need the help like the gentleman from New York (Mr. RANGEL) said of all of our departments.

I do not mandate it. But let it be well known the Traficant amendment allows for every military asset to be used if so chosen by our administration and our leadership because the Congress is allowing them to do so. In America, the people govern. We are not out-

toughing one another. The gentleman from Texas (Mr. REYES) is awfully tough. We might differ; but on this, he would kill our efforts.

Mr. TAYLOR of Mississippi. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Chairman, this is a very serious debate about a very serious issue that can potentially have very serious consequences on communities along the border.

Again, let us one by one separate fact from fiction. My colleague, the gentleman from Ohio (Mr. TRAFICANT) talks about 5 tons of heroin coming across the border and asked the rhetorical question: If 5 tons of heroin can come across the border, cannot a nuclear weapon come across the border? Yes. Absolutely.

But I can tell my colleague from Ohio, there has never been one incident on the U.S.-Mexican border where 5 tons of heroin have come across the border. There has never been one single incident where 1 ton of Mexican brown heroin has come across the border. I know because I worked it, I lived it, I did it. I fought the war on drugs.

Part of what we need to understand here is to get a grip on what the facts are and what all the rhetoric is and separate these two things. First of all, heroin is introduced into this country in very small quantities because it is a very valuable commodity, and drug smuggling organizations do not want to risk millions of dollars on one intercepted package.

Secondly, fact from fiction. My colleague, the gentleman from Ohio talks about my perfecting amendment limiting the power and the authority of the White House, the President of the United States. I want to tell this body and I want to tell my colleague, the gentleman from Ohio, that if there is a national emergency, the President already has that authority. He can deploy every single soldier wherever he wants if there is a national emergency. So I think the argument about my perfecting amendment limiting us in the war on drugs is ludicrous.

Fact from fiction. I mentioned earlier let us separate our ability for instant gratification and for that all-satisfying quick fix. There is no quick fix. I made mention that there are currently two bills that will increase the resources of customs, that will increase the resources of the United States border patrol; and, conceivably, we will have a United States border patrol of as many as 20,000 agents, trained, profession, bilingual officers that work on the border, that are expected to be on the border, and would never confront an 18 year old by shooting at him. Those are the facts. Those are the kinds of things that repeatedly get ignored here.

I listened to my colleagues, and they all say they have a tremendous amount of respect and all of the nice things that they say about me in the context of the job that I did for 26½ years. But that is not what this is about.

What this is about is listening, listening and understanding the impact that a proposal like this would make on communities along the border. Again, I ask this House to consider, is it not strange that all those that propose and support this kind of an effort, that want to sound tough on the war on drugs, that want to sound like they want to protect communities all across this country do not live nor do they represent the border? I find that kind of strange.

All of us that represent border communities understand the implications. All of us understand the consequences. All of us understand and live with constituents that do not want the danger. They do not want this kind of proposal coming out of the people's House.

Listen to the argument. Listen to the consequences, and then understand that the military is not a solution. The military trains for warfare. We need the military to be ready to defend us in a completely different context, not patrolling the border, not in our border communities, and not jeopardizing the residents that live along that border. They have an expectation to have the same kinds of protections that the rest of the communities along this great country have.

Those are the issues. Those are the facts. Ultimately, if this thing passes, and ultimately, time and time again, as we argue and debate this thing, ultimately if it passes, those are going to be the consequences. Yes, we are going to be talking about settling with families whose children have been killed, settling with communities that are not understanding why this body would put troops in their communities.

Mr. BECERRA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I speak in support of the Reyes amendment and against the Traficant amendment, and I would start by reading something. "El Paso, August 11. The federal government will pay $1.9 million to the family of a teenager who was killed by a Marine patrolling the U.S.-Mexico border," according to the family's attorney. "The controversy over the May 27, 1997, shooting led to the suspension of military patrols along the Rio Grande. Esequiel Hernandez, Jr., 18" years of age "was killed while herding goats near Redford, Texas, 200 miles southeast of El Paso, by Marines who said the youth fired on them."

"After a long battle over what happened, the Hernandez family has signed a settlement agreement with the Justice Department and the Navy."

"The settlement is 'one more piece of evidence that there was total wrongdoing in this case by various arms of the government,' said the Reverend Melvin LaFollette, a Redford activist. 'Innocent parties don't pass out millions gratuitously.' ".

We did that last year because this Congress told the armed forces to send troops to the border. One of the first things that happened was an American citizen lost his life, an 18-year-old American citizen.

The Traficant amendment says not only shall we go back to that failed policy but we will require that the Department of Defense do it, not in its discretion do it but require that we do it.

The gentleman from Ohio (Mr. TRAFICANT) says that if we pass the Reyes amendment and not his amendment we are going to throw out the Army, we are going to defund the FBI and that the Reyes amendment would put a limitation on our Nation's ability to fight drugs.

Let me read what the Reyes amendment says and see if any of that can be found. Nothing in this section shall be construed to authorize the deployment of the members of the armed forces in contravention of United States law for the purpose of this section.

The only thing the Reyes amendment says is, let us continue to follow the law that says that we will not have various forces, military and quasi-military forces, doing the job that is not assigned to them. That is the only thing the Reyes amendment says.

Now, what does the Traficant amendment say? It says the Secretary of Defense shall, shall assist, in keeping illegal drugs out of the United States by assigning the armed forces to assist the INS and the Customs Service; shall.

I want to make a note. "Shall" is written in by hand. Stricken right below it in type, the original form of the amendment was "should," "should assist," which is what the gentleman from Ohio (Mr. TRAFICANT) has been saying; discretion.

The Traficant amendment originally did provide the Department of Defense, the President of the United States and Congress with discretion to proceed. Someone struck that, I suspect it had to be the gentleman from Ohio (Mr. TRAFICANT), it is his amendment, and now it is "shall."

So contrary to what the author of the amendment, the gentleman from Ohio (Mr. TRAFICANT) is saying, this provides no discretion to the President, no discretion to the Secretary of Defense, no discretion to the Secretaries of the Army, Navy or Marines. They must do this. That is what "shall" means. It is not "may" or "should."

We can stand here and talk all about this, but the only person who really has a right to tell us what really is best for the border is the gentleman who spoke earlier, the gentleman from Texas (Mr. REYES), who spent more

than 20 years of his life doing exactly that, patrolling the border. Many of us could continue to talk and we will.

I shudder to think what the men and women who actually are on the border, carrying the guns, doing the surveillance, having to stop drugs, having to stop people from coming into this country illegally, are saying as they listen to this debate; we must not be very good officers, they must be thinking, that they believe that now we must send down the troops to help them do their job. Not give them more resources to hire more INS officers and Customs officers to do the job, but, no, send the armed forces, which is trained not to surveil, not to guard, not to interdict but to kill.

What a statement we are sending to the men and women who day after day put their lives on the line trying to do what we say we need to have the Army do. If one really believes we need to put more on the border, and we do, then give the INS Border Patrol, give the Customs agency more resources to hire people who are trained to do exactly that. Do not try to have our men and women who are trained to do something different in the armed forces all of a sudden go into a foreign atmosphere and now try to do the work, because when you do, what happens? Folks like Esequiel Hernandez are killed. And what else? The taxpayers are told, give me $2 million because we have to pay off this family for having killed people like Esequiel Hernandez.

Are we destined to travel down that same path? Are we destined to repeat history? I urge my colleagues to vote for the Reyes amendment and against the Traficant amendment.

Mr. LAHOOD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Traficant amendment.

Mr. TRAFICANT. Mr. Chairman, will the gentleman yield?

Mr. LAHOOD. I yield to the gentleman from Ohio.

Mr. TRAFICANT. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, there have been a couple of misrepresentations here and I would like to clarify them. With the legislative intent by the author of those provisions, the Secretary of Defense shall assist in keeping illegal drugs out of the United States by assigning members of the armed forces to assist the Immigration and Naturalization Service and the United States Customs Service. It does not limit the assistance but it does not say it must be patrolled, either. It is at the discretion of the Secretary of Defense, in consultation with what I had assumed to be the brain trust of our country.

Let me just close out and make this statement: American troops, as we speak, are guarding borders all over the world. The only border our military is not guarding is the United States of America border. We have a civilian law enforcement service that is doing a respectable job, but we are guarding foreign borders, we are not guarding our own.

Second of all, one other thing, I think it is time to stand up for number one, and I do not apologize for wanting to bring in every asset that the Pentagon has to have us keep illegal drugs out of the country.

So I want to close by saying, the first vote evidently in this series will probably be the vote on the McCollum amendment. Then the second vote would be the Reyes substitute.

Let there be no mistake, the Reyes substitute strikes the use of members of the armed services for patrols. That, it does. The Traficant amendment allows for it and allows for the Secretary of Defense to do everything in his power to help us with the problem.

With that, I would hope that the Members would vote for McCollum, defeat Reyes, and give me a vote on my amendment.

The CHAIRMAN pro tempore (Mr. BURR of North Carolina). The question is on the amendment, as modified, offered by the gentleman from Texas (Mr. REYES), to the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. REYES. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 537, further proceedings on the amendment, as modified, offered by the gentleman from Texas (Mr. REYES), to the amendment offered by the gentleman from Ohio (Mr. TRAFICANT) will be postponed.

The point of no quorum is considered withdrawn.

□ 1415

AMENDMENT NO. 6 OFFERED BY MR. SHAW

Mr. SHAW. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. BURR of North Carolina). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. SHAW: AT THE END OF THE BILL ADD THE FOLLOWING NEW TITLE:

TITLE VII—CRIMINAL BACKGROUND CHECKS ON PORT EMPLOYEES

SEC. 701. BACKGROUND CHECKS.

Upon the request of any State, county, port authority, or other local jurisdiction of a State, the Attorney General shall grant to such State, county, port authority, or other local jurisdiction access to information collected by the Attorney General pursuant to section 534 of title 28, United States Code, for the purpose of allowing such State, county,

Mr. SHAW. Mr. Chairman, today I rise to offer an amendment to H.R. 4300. This amendment would allow local and State governments the ability to access Department of Justice information for the purpose of doing criminal background checks on port employees or applicants to become port employees. I had previously introduced this amendment as a bill entitled the "Drug-Free Ports Act," H.R. 3975.

Mr. Chairman, I am offering this amendment because of the increasingly high incidence of collusion between drug traffickers and port employees. These "internal conspiracies" at ports are becoming a major avenue for bringing illegal drugs into the United States. To lessen the chance of future internal conspiracies, my amendment would simply allow the local governing body to conduct Federal criminal background checks at their discretion on port employees and applicants to become port employees.

The subject of this amendment was discussed at length at a hearing of the House Subcommittee on National Security, International Affairs and Criminal Justice last year which I attended on an ex-officio basis.

Internal conspiracies are clever in the way they help smugglers. They have been known to "innocently" swing a container in front of a surveillance camera in order to allow another container filled with drugs to pass through undetected. They also have been known to tip off smugglers regarding the routines of Customs officials to maximize the chance of success in bringing in the illegal contraband.

According to James Milford, a former head of the DEA in Miami, Florida, "Longshoremen are a source of frustration for us, particularly in South Florida. One of the things that concerns us is the ability of longshoremen to be utilized successfully in pulling cocaine shipments out of cargo and moving it out of the port with impunity."

In response to the reports about internal conspiracies at Florida's ports in the press, I requested that the Customs Service do a random sample of arrest records of longshoremen at the Port of Miami and the Port Everglades in the Ft. Lauderdale/Hollywood area. The results are quite disturbing.

Of a random sample of 50 Port of Miami longshoremen, 36 had arrest records. Of these 36 arrest records, they had a total of 213 arrests, including 68 on drug charges. In a random sample of 38 Port Everglades longshoremen, 19 had arrest records. Of these 19, they had a total of 73 arrests, including 14 drug arrests.

Mr. Chairman, consider the arrest records from the following two subjects: Subject 1, from the Port of Miami: Arrested for robbery, assault

and battery, carrying a concealed firearm, possession of a firearm by a convicted felon, aggravated assault, possession of heroin with intent to distribute, possession of cocaine with intent to sell, possession of heroin with intent to sell, grand theft, petty theft, uttering a forged instrument, forgery of a U.S. Treasury check, possession of cocaine, simple battery, aggravated battery, and petty theft. This is one person.

Subject 2, from Port Everglades: Arrested for robbery, assault with intent to commit murder, breaking and entering, disorderly conduct, shoplifting, burglary, dealing in stolen property, possession of cocaine, sale of cocaine, and domestic violence.

Mr. Chairman, since 1993, the Waterfront Commission of New York Harbor had been conducting criminal background checks on certain employees and their system has worked well. I believe that that particular port is in the jurisdiction, or in the district of the gentleman from New Jersey (Mr. MENENDEZ).

This is a federally chartered port and these ports have access to Federal records. Considering the torrent of drugs and other contraband that moves in and out of our ports, I do not consider it unreasonable for the local government, or a port authority, to require clean records for the people who work on the docks, the people who are actually on the front lines, the people that are handling the cargo.

For that reason, I would urge support of this amendment. Quite frankly, all we are asking is to have the same privilege, that the ports in the district of the gentleman from New Jersey already have, in the Port of Miami, Port Everglades, the Port of Boston, Norfolk, New Orleans, Charleston, all over this country. It has worked in New York and New Jersey and it will work elsewhere.

The incidence of drugs coming into this country through ports is increasing tremendously. We need to cut this off and it is only common sense that we do not have criminals or do not have the foxes guarding the hen house.

Mr. MENENDEZ. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I recognize the intentions of the gentleman from Florida (Mr. SHAW). I want to express, however, some reservations.

Port employees overwhelmingly are hard-working and honest people who have a strong commitment to doing their jobs and serving their Nation. Also not only in terms of moving the trade that we always talk about in this Chamber, 95 percent of all the Nation's commerce moves through ports like the ones that I represent, but also in their efforts to eradicate illegal drug importation.

Mr. Chairman, I represent the largest port in the Eastern seaboard. I clearly understand the need to fight the entry of illegal drugs through the ports of entry. In fact, port workers cooperate with the Customs Department in a program that they work together called the "Dock Workers Against Drugs Initiative." They are not coerced or force to do this. Rather, they participate voluntarily.

Now, this bill imposes a Federal mandate in an area where local efforts are already underway. Criminal background check records of the Port of New York and New Jersey workers, including ancillary workers, are already examined thoroughly. The port already does what this amendment offers. The Waterfront Commission of New York Harbor did this without a mandate from the Federal Government.

My concern is the extent in which the amendment is written. It says upon the request of any State, county, port authority, or other local jurisdiction of a State, the Attorney General shall grant to that entity all of these rights to have criminal background checks on employees or applicants for employment at any point under the jurisdiction of that otherwise State, county, port authority, or other local jurisdiction.

Now, my sense is I am not quite sure whether by "local jurisdiction" we mean port authorities or what is the extent of that entity. I am concerned that the extent, the broad net that is being cast here, provides no safeguards to prevent the distribution of sensitive information to those with no connection to port operations.

This amendment provides no limits to the information that can be collected and records can be released to a wide variety of entities, as I think are described here, that may not in essence accomplish our goals. The protection of the integrity of our borders and stopping the entry of illegal drugs is a worthy goal. The gentleman from Florida clearly has a worthy goal.

The workers at our ports I know, and I have spoken before the International Longshoremen's Association, I have heard from them their efforts and their commitment. These are working men and women who clearly understand the consequences to their families and to the communities in which they live.

But I am concerned, and I just raise the caution and concern here in terms of the potential overbreadth of the way that this amendment has been written. In that context, I raise those concerns and hope that we can, as this bill moves, seek to make sure that the purposes of the gentleman from Florida can be tailored in such a way that we reach his goals, but provide certain protections.

Mr. HASTERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Florida (Mr. SHAW). I am not an expert on longshoremen. I live in the corn fields of Illinois and we see the products that are moved through our ports. It happens in our schools and our towns and our villages and the little country towns where those narcotics are available.

We know that most of those narcotics come across the Southwest border, something we have just talked about. We also know that about 40 percent of those narcotics come through our ports of entry into this country, our seaports and airports. It is pretty important, I think just common sense, it is pretty important that the people who handle the luggage, the people who handle the containers, the people who load the boats, who onload the ships, who load the trucks, who maneuver cargo through the railroads, those people need to be trusted. They need to be screened.

It would surely be wonderful if it was always voluntary, but we understand those people who have been able to infiltrate, and it happens in this country and it is rampant throughout this country. They are not law-abiding citizens. They would hide the fact.

Mr. Chairman, I just think we ought to be able to screen them. The facts show themselves. Out of the scores of people that were finally arrested, and we found that we had 200 to 300 arrests for that score of people, we ought to do that screening. If we are going to protect our children, if we are going to protect our families and we are going to protect our communities against drugs, we need to be able to make sure that the ports of entry, those people handling cargo and those poisons coming from across the oceans, that they are people that we can trust and that we have faith in and that will do the right job.

Mr. Chairman, I insert the following letters for printing in the RECORD:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 14, 1998.

Hon. NEWT GINGRICH,
The Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER. I understand that it is the desire of the Leadership to take H.R. 4300, the "Western Hemisphere Drug Elimination Act," and H.R. 4550, the "Drug Demand Reduction Act," to the floor without this committee reporting these bills.

In the interest of the Leadership's desire to move expeditiously on these bills, I will agree to Judiciary Committee's being discharged from further consideration of these bills. However, this should not be construed as a relinquishment of the Committee's jurisdiction as to these matters generally, or as to any further amendments relating to them. I also request that the Committee's rights to have our Members named to any conference committee on these bills or any similar bill be protected.

Sincerely,

HENRY J. HYDE, *Chairman.*

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, September 11, 1998.

Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives, U.S. Capitol Building, Washington, DC.

DEAR MR. SPEAKER: On July 22, 1998 the bill H.R. 4300, the "Western Hemisphere Drug Elimination Act of 1998," was introduced in the House. Amendments made to this bill fall within the jurisdiction of the Committee on Agriculture.

Knowing of your interest in expediting this legislation, the Committee on Agriculture will agree to waive jurisdiction and will not seek a sequential referral in order to speed its consideration of the floor. In so doing, the Committee on Agriculture does not waive any future jurisdictional claim over this or similar measures. Furthermore, the Committee reserves the right to seek appropriate representation in the event the measure should go to conference.

Thank you very much for your courtesy in this matter and I look forward to continuing to work with you on this important project.

Sincerely,

ROBERT F. (BOB) SMITH, *Chairman.*

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATIONAL SECURITY,
Washington, DC, September 15, 1998.

Hon. NEWT GINGRICH,
The Speaker,
U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: In recognition of the desire to expedite floor consideration of H.R. 4300, the Western Hemisphere Drug Elimination Act, the Committee on National Security agrees to waive its right to consider this legislation. As you know, H.R. 4300, as introduced, addresses subject matter that falls within the legislative jurisdiction of the Committee on National Security pursuant to House Rule X.

The Committee on National Security's waiver of its right for further consideration is taken with the explicit understanding that the text H.R. 4300 will be modified on the floor by a manager's amendment incorporating changes agreed to between the Committee and sponsors of the legislation. Further, this action is taken with the understanding that the Committee on National Security's jurisdiction over the provisions in question is no way diminished or altered, and that the Committee's right to appointment of conferees during any conference on the bill remains intact.

Finally, while I commend and appreciate the willingness of the sponsors of the legislation to work with the Committee to address the various jurisdictional concerns associated with the introduced bill, I still hold reservations over portions of the legislation that express the need to alter the Global Military Force Policy of the Department of Defense. This fundamental policy question deserves careful and thorough consideration as it has the potential to alter how limited defense resources are allocated among the many worthy and critical national security priorities, including the Department's counterdrug efforts. Further, this matter is currently being negotiated with the Senate as part of the conference on H.R. 3616, the National Defense Authorization Act for Fiscal Year 1999 which I hope to bring back to the House within days. As the likely conference outcome on this issue differs from the text contained in H.R. 4300, I believe this matter will require further consideration in conference or any subsequent consideration of this legislation.

With warm personal regards, I am

Sincerely,

FLOYD D. SPENCE, *Chairman.*

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE,
Washington, DC, September 11, 1998.

Hon. NEWT GINGRICH,
Speaker of the House,
Washington, DC.

DEAR MR. SPEAKER: One of the bills scheduled for consideration before the Committee on Rules next week, H.R. 4300, the Western hemisphere Drug Elimination Act, was referred to several Committees, including the Committee on Transportation and Infrastructure. I strongly support H.R. 4300, and, in order to expedite its passage, do not object to the Rules Committee granting a rule for Floor consideration next week. This should not be deemed to be a waiver of this Committee's jurisdiction over the subject matter contained in H.R. 4300, or our right to be appointed as conferees should this bill go to conference with the Senate.

The problem of drug use among teenagers in this country has reached crisis proportions. H.R. 4300 will authorize funds to allow the Coast Guard to aggressively pursue drug smugglers and protect our country's borders from illegal contraband. We must act now to provide the funds necessary to deter America's teenagers from using illegal drugs.

Although I agree that time does not allow us to proceed through the normal Committee process for this legislation, in the future, the Committee on Transportation and Infrastructure will continue to exercise its jurisdictional responsibilities over all Coast Guard drug interdiction issues, and all related legislation.

With kind personal regards, I am

Sincerely,

BUD SHUSTER, *Chairman.*

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, September 14, 1998.

Hon. NEWT GINGRICH,
The Speaker,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: I am writing concerning consideration of H.R. 4300, the Western Hemisphere Drug Elimination Act. Sections 101(a) and 501(e) contain authorizations for appropriations for the U.S. Customs Service for drug interdiction and, as such, fall within the jurisdiction of the Committee on Ways and Means.

As you know, the House recently passed, by an overwhelming margin, H.R. 3809, the Drug Free Borders Act. This bill greatly increased authorization levels for the U.S. Customs Service for drug interdiction, particularly along the southwest border.

I have long been concerned that Customs have adequate resources to fulfill its responsibilities for drug interdiction, particularly along the southwest border, as well as the facilitation of legitimate trade, and these priorities have been reflected in H.R. 3809. I understand that since the passage of H.R. 3809, certain serious needs have come to light for which you seek additional authorizations for the U.S. Customs Service in H.R. 4300. I understand, however, that you fully support the funding priorities authorized in H.R. 3809. I further understand that you do not seek in any way to diminish those funding levels by the new authorizations in H.R. 4300 but that you intend to seek supplemental appropriations to fund the bill.

In order to expedite the consideration of this important legislation, I do not believe that a markup of H.R. 4300 by the Committee on Ways and means will be necessary. However, this is being done only with the understanding, first, that this does not in any way prejudice the Committee's jurisdictional prerogatives on this measure or any similar legislation; second, that it should not be considered as precedent for consideration of matters of jurisdictional interest to the Committee on Ways and Means in the future; and, third, that you will support the funding priorities and levels in H.R. 3809.

Thank you for your consideration of this matter.

With best personal regards,

BILL ARCHER, *Chairman.*

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL
RELATIONS,
Washington, DC, September 9, 1998.

Hon. NEWT GINGRICH,
Speaker,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: It is my intention to waive committee jurisdiction over H.R. 4300 "The Western Hemisphere Drug Elimination Act". As this session nears conclusion, we are in a serious crisis on the drug front as a result of Administration's neglect in both source nation and interdiction efforts in the war on drugs. The supply of pure, and low cost drugs from abroad increases daily, while corresponding demand and use rises here at home, especially among our young people.

A good case in point of this neglect is Colombia, which produces 80% of the world's cocaine, and most recently has also captured the heroin market here in the U.S. (75%). Our committee has held an extensive hearings on drugs in Colombia, and we also had the GAO report on the crisis there. We have conducted extensive analysis of the critical need for more and better assistance including high performance helicopters, and overall reform of our war on drugs.

Most recently, events turned for the worse in the fight against drugs at the source in Colombia. U.S. law enforcement is in agreement that the best place to fight drugs is at the source. The war on drugs is now on hold in Colombia. Without good helicopters, opium eradication has been cut 50%, and the results in the U.S. from the influx of Colombia heroin are indeed frightening. In addition, the narco-guerrillas' recently destroyed the Colombian National Police's forward drug fighting base in Miraflores. Fear of attack on their key anti-drug operations base at San Jose del Guaviare, forced the withdraw of its remaining few operational Vietnam era Huey helicopters, so coca and cocaine lab destruction are also down.

The results from this de factor cessation of the war on drugs in the major source nation in our hemisphere are becoming more and more evident in the U.S. as the price of hard drugs fall while they purity rises. Most recent National Household Survey data released while we were on recess, showed 171,100 teens for the first time used heroin in 1996. Heroin use in the U.S. now exceeds the late 1960s, early 1970s historic levels, and the future is not bright. On the cocaine front, prices fall, as purity rises, with use on the rise. We are witnessing a major failed demand only driven drug fighting strategy, which will reverse all of the major Reagan/Bush gains in the war on drugs.

H.R. 4300 sets out a three-year plan to reverse this serious neglect at both the source and in the area of interdiction. The bill provides vital anti-drug assistance like high performance helicopters for the excellent

and effective Colombian National Police to help eradicate opium and coca, as well as take down and destroy the production laboratories making these drugs for the U.S. market. It also increases aid to other drug producing nations in the region, and increases our interdiction capacity to prevent these drugs from every reaching our shores.

As this drug crisis threatens our youth, and nation, it also requires our action before the session adjourns. Accordingly, under these extraordinary circumstances, I am without prejudice to the Committee's ongoing jurisdiction over the subject matter, willing to waive jurisdiction on this bill so the full House can act on it.

With best wishes.

Sincerely,

BENJAMIN A. GILMAN,
Chairman.

Mr. SHAW. Mr. Chairman, will the gentleman yield?

Mr. HASTERT. I yield to the gentleman from Florida.

Mr. SHAW. Mr. Chairman, in the minute that is left I would like to say that I think that I would say to the gentleman from New Jersey (Mr. MENENDEZ) that I do believe without question that the language is sufficiently tight. What we are talking about, people who are either working in ports or apply for positions in ports, are going to get their background checked. I think the language is very clear that only the jurisdiction controlling the port can pull up this information and pull it up on these particular people.

Right now, they can pull up the State records as in Broward County, they passed a county ordinance that required this. In Dade County, they have done the same. But now they can only get to the State records. We should have the same privilege that the Port of New York has and the Port of New Jersey, and that is to be able to tap into the Federal records. That is all this does.

It certainly makes sense to have the honest people be the ones that are handling the cargo. They have the greatest opportunity to assist the drug smugglers and assist the drugs smuggled into this country, and we know that drugs are a huge problem. Mr. Chairman, I ask the approval of the amendment.

Ms. LEE. Mr. Chairman, I rise to express my opposition to the Shaw amendment to H.R. 4300. The amendment would allow any state, county, port authority or any local government entity to utilize information collected by the U.S. Justice Department about working men and women at our nation's ports. This draconian measure was introduced in response to drug smuggling activities of a few longshore workers in the State of Florida.

The longshore and port workers in my district work hard. They are a proud lot. They are proud of their affiliation with the International Longshore and Warehouse Union—a union dedicated to democracy, economic security for all workers and a peaceful world.

The Shaw legislation is a dagger in the heart of these patriotic Americans. Port workers perceive this legislation as questioning their character and honesty. The legislation would affect workers on the West Coast even though there are no documented cases of longshore workers on the West Coast involved in the international drug trade. It is blatantly offensive to single these workers out because of a few bad apples in one state. The Constitutional right to privacy is cherished by the American people, and there are no extraordinary circumstances that would warrant local government officials rifling through FBI and Justice Department files on a select group of individuals.

There are no safeguards in the Shaw amendment to prevent the dissemination of sensitive information on individuals to use material for selfish political ends, blackmail, or any other nefarious activity. Surely, there is a better way to fight drugs than to invade the privacy of a proud group of workers.

Mr. MENENDEZ. Mr. Chairman, the amendment before us labels a whole class of workers guilty until proven innocent. I rise to express my strong opposition to this amendment. It automatically considers any worker at a port suspect, and it only targets port workers. Port employees are hard-working and honest people who have a strong commitment to doing their jobs and serving their nation in its efforts to eradicate illegal drug importation. This amendment does not account for those facts.

Let me emphasize that I represent the largest port in the eastern seaboard. I understand the need to fight the entry of illegal drugs at our ports of entry. There's no doubt we need to continue in those efforts.

The U.S. Customs Service with other government agencies does a valiant job in trying to seize narcotics at New Jersey's ports. They could not accomplish this without the assistance of the Port's workers. Here are some examples: in July 1998 under Operation Brass Ring the U.S. Customs Service seized 700 pounds of cocaine at Port Newark/Port Elizabeth, New Jersey; and in June 1998 the Customs Service seized 1,300 pounds of cocaine concealed in a shipment at Port Newark/Port Elizabeth. I cite these examples to demonstrate ongoing narcotics fighting efforts at the Port; efforts which the Port's workers aided.

Port workers have their own initiatives to fight illegal drugs with programs like the Dock Workers Against Drugs initiative. They are not coerced or forced to do this; rather they participate voluntarily.

This amendment imposes a federal mandate in an area where local efforts are already underway. The criminal background records of the Port of New York and New Jersey's workers, including ancillary workers, are already examined thoroughly. The ports of New Jersey and New York already do what this amendment offers. But the Waterfront Commission of New York Harbor did this without a mandate from the Federal government.

This amendment violates workers' privacy. It does not provide any safeguards to prevent the distribution of sensitive information to those with no connection to port operations. This amendment provides no limits to the information that can be collected, and records could be released that date back years and have no relation to the work of port employees. The information could be used in inappropriate ways.

Protecting the integrity of our borders and stopping the entry of illegal drugs is a worthy goal and the workers at our ports support this effort wholeheartedly. Mr. Chairman, we need to fight the entry of illegal drugs coming into our ports. In New Jersey we have established rigid background checks to ensure our workers can function in the port environment, but we did it without a mandate from the Federal government. We shouldn't use this bill as a means to violate the privacy rights of our workers. The International Longshoremen's Association, the AFL–CIO, and the International Longshore and Warehouse Union all oppose this amendment. We should use this bill as an opportunity to provide the resources to stop illegal drugs at their source.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Florida (Mr. SHAW).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. WATERS:
Strike section 201.
Strike section 204(a).
In section 204(b), strike "(b) SENSE OF CONGRESS.—".

Ms. WATERS. Mr. Chairman, I would first like to thank the gentleman from Illinois (Mr. HASTERT) for working with me to accommodate me and give me the opportunity to get this amendment up, who happens to be the chair of the Republican Drug Task Force.

I would also like to thank the gentleman from Florida for the work that he has put into this legislation. I do have some concerns that this legislation did not travel the traditional course and have the oversight of all of the committees that should have seen it. However, I am one of the cosponsors on the legislation.

Mr. Chairman, having said that, I would like to make it absolutely clear that one of the priorities of the Congressional Black Caucus is the eradication of illegal drugs in our country. The Congressional Black Caucus, in formulating its agenda at the beginning of the 105th Congress, made this a priority simply because we were tired of sitting around and waiting for someone else to make this happen.

We have put millions of dollars into the eradication of illegal drugs in our society. We have had presidents and elected officials for years now talking about the eradication of drugs, and to tell the truth, those drugs continue to show up in our communities.

□ 1430

And the gentleman is absolutely correct; too many lives are lost, too many families are destroyed, too many dreams and hopes unrealized because, in fact, these drugs continue to flow.

And let me tell the gentleman what a lot of the young people say. They say, "Ms. Waters, we don't have any planes, and we don't have any boats, and we don't have the money to go out and buy huge shipments of drugs to bring them into our community. Why don't you go and get the big boys? Why don't you do something about interdiction? Why don't you do something to stop the flow of drugs into the communities?" And this bill attempts to do something of that nature.

This amendment is simple, direct and crucial, and I join with my colleagues on the other side of the aisle to do something about the eradication. However, I am simply asking that we strike two provisions that currently give direct military aid to the Colombian National Police and army as well as the Mexican military. I believe this is a crucial amendment due to the disturbing and most recent revelations about the involvement of the Colombian and Mexican military and police in drug trafficking.

The first part of the amendment strikes section 201, which gives additional eradication resources for the army and national police of Colombia, the section which gives $165 million of direct military aid to these forces at a time when they are being alleged to have ties and providing protection for Colombian drug cartels.

The second part of the amendment strikes section 204 that gives direct military aid to Mexican military forces at a time when they are being implicated for their ties to drug cartels. In fact, just today in The New York Times, we have reports that elite Mexican drug officers are said to be tied to traffickers. The Washington Post ran an article last week on reports of those supposedly incorruptible anti-narcotics police who were taking suitcases full of cocaine and walking around the drug-sniffing dogs in Mexico City's airport and then placing the suitcases back on the luggage racks for the cartel agents to pick up.

Other similar revelations have surfaced regarding the Colombian military. A June 22 New York Times editorial wrote of the ties between the paramilitaries in Colombia and drug cartels. Colombia's investigative police say Carlos Castano, a top paramilitary leader, heads a drug cartel. According to reliable sources, his paramilitary drug cartel is also receiving protection from Colombian police and security forces.

In fact, the Colombian military and anti-narcotics police units based in Guaviare have been recently implicated in supporting Carlos Castano and his paramilitary when they carried out a massacre that took place from October 18 through October 20, the day before our own General Barry McCaffrey landed at the capital at San Jose del Guaviare.

Mr. Chairman, I ask for support on this amendment to make sure we stop dumping our dollars, our taxpayer dollars, into corrupt police officers who are part of the drug problem in Mexico and Colombia.

October 29, 1997.

Hon. MADELEINE ALBRIGHT,
Secretary of State, Department of State, Washington, DC.

DEAR SECRETARY ALBRIGHT: We are writing to you regarding the human rights situation in Colombia. We have just received credible information that military and anti-narcotics police units based in Miraflores, Guaviare actively supported a paramilitary massacre that took place from October 18 through October 20, the day before Gen. (ret.) Barry McCaffrey landed at the capital at San Jose del Guaviare.

According to the Public Ombudsman's office, on October 18, heavily armed men calling themselves the Autodefensas del Sur (Southern Self-Defense Group) entered Miraflores and executed four men, identified in press reports as Jose John Gordillo Daza, Pablo Quejoa Menza, Silvano Batioja Castro, and Florentino Torres. Apparently the paramilitaries had a list of names that they used to search out their victims. In the formal complaint, witnesses said that they overheard the men say, "Who said we couldn't come to this town? From here on, we give the orders here." Over the course of three days, at least six people were reported executed.

Miraflores has the permanent presence of three security force units: the army's "Joaquin Paros" Battalion, the navy, and the anti-narcotics police. Although the surrounding countryside is controlled by guerrillas, the town itself is heavily militarized.

Eyewitnesses reported that security force personnel did not leave their barracks until 45 minutes after the first three people had been killed. Then, their only activity was to collect the bodies left in the street. According to our information, they did nothing to apprehend the paramilitaries, who were still in town searching for more people on their list. One more person was killed that day and two more on October 20.

On the afternoon of October 18, our information indicates that army soldiers provided an escort for two of the gunmen to the army-controlled airstrip. Eyewitnesses also claim that soldiers summoned a private airplane with an army radio, which arrived shortly thereafter, boarded the gunmen, and left. Subsequently, Miraflores mayor Edgar Emilio Lozano and many other residents fled Miraflores out of fear.

We are also concerned because the security forces have not impeded this paramilitary group's free movement in the region using a DC-3 airplane. According to local residents, Autodefensas del Sur landings are frequent and notorious. The group is also implicated in the October 16 killings of Jorge Puerto and his mother, Maroa, near the town of Puerto Trujillo, Meta.

Paramilitaries led by Carlos Castano publicly identified the department of Guaviare as a military objective a year ago. Like the attack in Mapiripon, Meta in July, which left seven confirmed dead, the Miraflores massacre appears to be part of a paramilitary plan to expand their operations into areas historically dominated by guerrillas. Although the role of the security forces in the Mapiripon massacre is not clear, eyewitnesses have provided compelling testimony about the role of Colombian units in the Miraflores attack.

We know you must share our dismay at the apparent role played by the Colombian military and anti-narcotics police in the Miraflores massacre. If confirmed, security force assistance in the massacre would constitute a serious human rights violation. It would also challenge the United States decision to permit anti-narcotics aid to be sent to units operating in the department of Guaviare, according to the August end-use monitoring agreement.

We ask you to carry out an immediate inquiry of the Miraflores massacre, and particularly the reported involvement of the Colombian military and anti-narcotics police. We also request that U.S. intelligence relevant to the incident be shared with the Fiscaloa and Procuraduroa, to aid them in their on-going investigation. Finally, we urge you to ensure that appropriate action is taken with regards to the provision of U.S. assistance to units operating in Guaviare and Meta under the guidelines laid out in the Leahy amendment.

Thank you for your attention to this urgent matter.

Sincerely,

JOSE MIGUEL VIVANCO,
Executive Director,
Human Rights Watch/Americas.
COLETTA YOUNGERS,
Senior Associate,
Washington Office on Latin America.
GEORGE VICKERS,
Executive Director,
Washington Office on Latin America.
JAMIE FELLNER,
Associate Counsel,
Human Rights Watch.

[From the New York Times, September 16, 1998]

ELITE MEXICAN DRUG OFFICERS SAID TO BE TIED TO TRAFFICKERS

(By Tim Golden)

WASHINGTON.—An ambitious effort to overhaul Mexico's corrupt law-enforcement system has been thrown into turmoil by the disclosure that top investigators of an elite American-trained police unit may have ties to drug traffickers, American officials say.

The disclosure emerged after recent lie-detector tests administered, at Mexican authorities' request, to Mexican police agents by American Government experts.

Officials said at least some of those investigators whose tests indicated collusion with traffickers had been chosen for their posts after elaborate screening devised by Americans.

American officials said they were just beginning to assess the damage that corrupt investigators might have wrought, a task that will take weeks. Most senior officials in the unit were implicated by the lie-detector tests.

Officials said they feared that much of the sensitive information that American law-enforcement agents had shared with the Mexican unit during the last year might have been compromised.

"You have to assume that everything we've been giving them has ended up in the hands of the traffickers," said a senior United States law-enforcement official who, as did others, insisted on anonymity.

"It's a disaster."

Other officials were more cautious about the significance of the tests. But they said they expected that American collaboration with the unit to be suspended until the Mexican Attorney General's office undertook an investigation of the case.

A senior Mexican law-enforcement official said tonight that the accusations were serious, but did not necessarily mean that senior

investigators had been working for traffickers. He said, though, that an administrative inquiry was under way and that one senior investigator had been reassigned.

"This vetting process was not the one we agreed to; the questions were not clear and they were not the ones we authorized," the official, who insisted on anonymity, said of the American conclusions.

"Failing a polygraph does not mean that these people committed crimes or took money, and there may be a lot of reasons why they did not tell the truth, he said, in a telephone interview from Mexico City. "But the law is very clear. To work in this unit you have to pass the polygraph."

The possible penetration of the unit, apparently by powerful drug gangs, in the latest in a series of such calamities.

Last week The Washington Post reported that Mexican officials were investigating allegations of corruption against dozens of army soldiers who had been stationed at the Mexico City airport as part of the armed forces' American-supported involvement in the fight against drugs.

For 10 years, as successive Administrations in Washington have sought to work more closely with the Mexican authorities, both to fight the flow of illegal drugs to the United States and to strengthen the rule of law in a strategically vital neighbor, American officials have publicly embraced senior Mexican prosecutors, police commanders and other officials who have later been revealed, one after another, to have taken bribes from major drug smugglers.

In the most serious case, the Mexican Government announced early last year that its drug-enforcement chief was in fact working secretly with the man then considered the biggest cocaine trafficker in the country, Amado Carrillo Fuentes. Days earlier the official, Gen. Jesús Gutiérrez Rebollo, had been basking in the praise of the Clinton Administration's drug-policy director, Gen. Barry R. McCaffrey.

General McCaffrey and other Administration officials vowed that such a debacle would not occur again. They pressed for a sweeping reorganization of how the United States gathers and disseminates intelligence about trafficking. The reorganization plans have run into wide opposition among Mexican law-enforcement officials.

But more important for Mexico, American law-enforcement officials also provided extensive help in writing a new law against organized crime, in setting up an investigative unit to enforce the law and in screening hundreds of other police agents assigned to drug enforcement.

Prospective members of the Organized Crime Unit were submitted to extensive background and financial checks, lie-detector tests and psychological evaluations. Most of those chosen also received training from the Federal Bureau of Investigation, the Drug Enforcement Administration or both.

But after a year and a half, in which the team of more than 200 investigators, prosecutors and intelligence analysts has been responsible for investigating many of the most important drug-trafficking and kidnapping cases, its record is mixed.

Mexican and American officials praise the unit for what they say was its role in the arrests of a handful of important smugglers and the dismantling of a kidnapping ring that terrorized central Mexico while receiving protection from state officials.

In particular Dr. Samuel González Ruiz, 37, a former law professor who heads the unit, has won wide respect from American officials for what they say is honesty and courage. Dr. González Ruiz was one of three top unit officials who were said to have passed the lie-detector tests.

Increasingly, though, American officials have grown critical of the unit for the same basic failing of the special forces that came before it. Despite issuing dozens of arrest warrants, the squad has been unable to capture leaders of the biggest trafficking gangs, despite having access to some of the most sensitive intelligence that Washington has ever given the Mexican Government.

As part of the law on organized crime that went into effect in November 1996, the unit has pioneered the use of protected witnesses and plea bargaining in criminal cases. Among other actions, Dr. González Ruiz arranged this year for testimony before a Federal grand jury in Houston by a former Mexican federal police chief who agreed to cooperate with authorities in return for a reduced prison sentence on corruption charges.

But the unit's handling of its witnesses has sometimes left a lot to be desired. A highly valued informer who implicated senior military officials in drug corruption, Tomás Colsa McGregor, was murdered last year after having left the custody of the unit, American officials said.

Another informer, a former federal highway police officer, Jaime José Olvera, was kidnapped from a street in Mexico City on Thursday, after having been in the protective custody of the unit. He was found dead on Friday.

American officials said Officer Olvera had provided crucial information about the most important drug gang, which he had once worked for, providing security.

Three officials said the lie-detector tests were partly a response to informers. But other experts said Americans screened agents in countries like Bolivia, Colombia, Peru and Thailand.

According to two officials, the testing, led by the F.B.I. and the Drug Enforcement Administration, focused in part on whether senior investigators had passed information to drug traffickers.

PARLIAMENTARY INQUIRY

Mr. HASTERT. Mr. Chairman, I have a parliamentary inquiry.

I understood the rule to say that preprinted amendments have a preference. I also understood the gentlewoman from California to stand up and ask to strike section 201.

I think what has happened is there is a combination of two amendments here. I just want to know what rule are we going under? Has there been a change in the amendments? Because I did not hear a unanimous consent request.

The CHAIRMAN pro tempore (Mr. BURR of North Carolina). The rule allows for any sections of the bill to be stricken by amendment because the bill is open to amendment at any point, and the gentlewoman's amendment has, in fact, done that.

Mr. HASTERT. My question, Mr. Chairman, was based, and I understand we are going to hear these amendments, but there are independent issues on each side of this bill, or these two pieces of legislation. The preprinted amendments, which was the rule, asked that those amendments have preference.

The CHAIRMAN pro tempore. The gentlewoman's amendment is in order. It is the Chair's understanding that the gentlewoman's amendment is one amendment, as reported by the Clerk.

Mr. HASTERT. I am just trying to get straight what we are debating here. My understanding is the preprinted amendments, which were the rule and as the rule was passed, had two different provisions, two different amendments. And now we are going from preprinted preference to rules that are just reported by the Clerk. I do not quite understand.

The CHAIRMAN pro tempore. The Chair's understanding of the rule was that the preprinted amendments received discretionary preference on their order. The rule did not require that all amendments be preprinted to be offered.

Mr. HASTERT. So would we not have to offer the two preprinted amendments first?

The CHAIRMAN pro tempore. The Chair's understanding is that the gentlewoman from California chose not to offer the preprinted amendments.

Mr. HASTERT. I thank the Chair. I would just say to the gentlewoman from California (Ms. WATERS) I misunderstood that. If she is to take both these together, it is a little more complex issue when she combines them.

The CHAIRMAN pro tempore. The gentleman's time on his inquiry has expired.

Mr. HASTERT. Mr. Chairman, I rise in opposition to this amendment.

What this combined amendment asks is basically to do a couple of things. First of all, what the text of the bill says is that our law enforcement agencies that work in Mexico ought to have the protections that anybody who works in an embassy should have. And in exchange, people who work in Mexican law enforcement, who have duties in this country, ought to have those same types of privileges.

Also, the black tar Mexican heroin that is now coming into our street corners in Los Angeles and Chicago and New York, some of the cities in New Jersey, and certainly Denver and other places, comes from the high mountains in Mexico. The only way that we can eradicate that black tar heroin is from helicopters that have the ability to reach high altitudes.

Now, we need to be able to provide, in cooperation with explicit actions from the Mexican Government that we require, we need to be able to provide those helicopters. We need to have our agencies and agents in Mexico to have the same protections that other people in our embassies have, and that is basically, on the Mexican side of this issue, that is that part of the amendment. That is what we afford. Why should we take that away from our people, law enforcement agents that work in Mexico?

The second part of this deals with Colombia. The law enforcement agency in Colombia that is in charge of drugs, that we have worked with, is the Colombian National Police. They have an extraordinary record on human rights. And as a matter of fact, the 18 people that got killed, that the gentlewoman from California talked about, right before General McCaffrey was there, were Colombia National Policemen. They were ambushed and killed. As a matter of fact, there has been 400 Colombian National Policemen killed in the last year; 4,000 over the last 10 years. These are people who have fought and struggled to stop drugs being produced in Colombia and have given a lot of their life and talents, for those people who have been wounded and others, to try to fight this battle.

They need help. That country is at the brink, absolute brink of chaos. If they do not have help, if they do not have the ability to fight within their own country, we will see Colombia being the first Democratic nation in the southern part of this Western Hemisphere become a narco-state. That is the danger that we are in, my colleagues.

Both of these amendments, combined, first strike at our ability to work with Mexico, which has been, at times, a difficult country to work with; and also try to get things straight with the ability to move this process and to stop narcotics flowing into our neighborhoods from Colombia. We need to have the helicopters, we need the eradication, we need to be able to do the job with the Colombian National Police who are vetted and who have wonderful human rights' records. Why destroy that? Why take that ability to deal with those folks away?

I just question why are we doing this in this amendment? I strongly oppose these amendments and would ask other Members of this body to vote "no".

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Mr. HASTERT. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding and I rise in strong opposition to the gentlewoman's amendment to cut off aid to Colombia.

Let the record reflect the aid in this bill for Colombia primarily goes to the Colombian National Police to fight drugs at their source. General Jose Rosso Serrano is the director general of that outstanding organization. His Colombian National Police antidrug unit, the Danti, is the recipient of most of the drug fighting funds for Colombia.

In March of this year, our House passed H. Res. 398 to provide Blackhawks for the Colombian National Police. It was passed out of our House Committee on International Relations with bipartisan support. There was no major opposition to that resolution.

The CHAIRMAN pro tempore. The time of the gentleman from Illinois (Mr. HASTERT) has expired.

(On request of Mr. GILMAN, and by unanimous consent, Mr. HASTERT was allowed to proceed for 2 additional minutes.)

Mr. GILMAN. Mr. Chairman, if the gentleman will continue to yield, let me read some parts of that resolution:

Whereas the Colombian National Police is led by the legendary and incorruptible General Jose Serrano, who has dedicated his life to fighting drugs, and whereas the elite anti-narcotics union of the Colombian National Police, the Danti, is one of the best and most effective anti-narcotics police forces in the region and the world.

That was the preamble to that measure. The CNP have had 4,000 police officers killed over the last 10 years fighting drugs in Colombia, before they reach our streets and before they kill our children. They destroyed the Cali and Medellin cartels, and killed the violent notorious drug dealer Pablo Escobar in a shoot-out. So let us understand who we are giving funds to and who deserve it.

There is no corruption in the CNP antidrug unit nor is there any history of human rights' abuses by the Danti antidrug unit. In fact, the Ambassador to Colombia, Myles Furchette, told our committee staff of the Congress not long ago that in the 10 years of providing U.S. assistance to General Serrano's antidrug unit, there have been no allegations of human rights' abuse.

The amendment to delete antidrug aid to Colombia and especially the Colombian antidrug police is ill-founded and lacks merit. Accordingly, I request our colleagues to defeat the Waters amendment.

Mr. MENENDEZ. Mr. Chairman, I move to strike the last word.

First of all, I want to say I have a great deal of respect for the gentlewoman and particularly for her concerns about the corrupt activities that take place in Mexico and in Colombia, particularly with reference to the narcotics trade. And I think it is a legitimate concern. We have concerns about human rights' abuses, but most particularly by the military aspects of those countries, and it is a legitimate concern. But I must respectfully and strongly oppose her amendment.

The fact of the matter is that I would suspect that we would have all of the end use monitoring that we have had under what is known as the Leahy amendment, and that we would continue to have that. The fact of the matter is that it is in the national interest of the United States and the national security interest of the United States to assist these countries because, ultimately, assisting these legitimate efforts helps us in the interdiction and eradication of those drugs that would transverse our borders into our country, into our communities and, ultimately, to our children and those who are the most susceptible.

□ 1445

So, in fact, as someone who traveled last year to Colombia with the Committee on International Relations and who boarded a helicopter in the jungles of Colombia and who went with the Colombian National Police in the jungle to see their eradication and who in the process ended up catching, in the very fields of the jungles a laboratory which refined these products and saw all of the work and the risk that was engaged and who talked to members of the Colombian National Police who were harmed and injured, and to their leadership which our own U.S. ambassador in Colombia has talked about time and time again, both in our visit there and as the chairman of the full committee has just suggested before the committee in terms of the degree of integrity that they have, not to suggest that for so long as there are human beings in any entity there is not a risk, but ultimately when we focus on the Colombian National Police, for example, we are more likely than not to have the type of resources flowing to an entity that is legitimately dedicated to combating narcotics trafficking. So it makes a lot of sense to have these provisions.

If we without any limitation go ahead and strike these provisions, then Colombia and Mexico clearly will not have the wherewithal, particularly in Colombia, will not have the wherewithal to go ahead and be able to have any enforcement efforts. You also have to understand that in Colombia, we have very difficult consequences. We have guerillas who seem to lack any ideological perspective, but you have guerillas who use the narcotraffickers as their enforcement and the narcotraffickers use the guerrillas to fuel economically their efforts. So the bottom line is you have a synergistic relationship, none of them ultimately for any good purposes, and obviously for purposes that are incredibly detrimental to the interests of the United States and the national security of the United States in our efforts to combat drugs.

I share the gentlewoman's concerns on the questions of corruption and human rights. But this broad swath of cutting I think would not meet our interests.

Ms. WATERS. Mr. Chairman, will the gentleman yield?

Mr. MENENDEZ. I yield to the gentlewoman from California.

Ms. WATERS. I thank the gentleman for yielding. Let me just say, Mr. Chairman, we are being laughed at. I want to call my colleagues' attention to when our drug czar went down to Mexico and wrapped his arms around Drug Czar Gutierrez Rebollo, a week before it was revealed that he was on the payroll of the Juarez cartel.

I want to draw my colleagues' attention to Colombia, when people were saying that the National Police were clean. I will tell you what happened to Pablo Escobar. They were supporting him until we put so much heat on them, and they tried to make it look as if they were better, they killed him. But these are the same National Police that we are talking about putting more money in their hands. This is above and beyond the current appropriations.

I am simply saying, we need money to fight drugs in this country. We need good interdiction. What we do not need is to keep talking about giving our money to dope dealers under the banner of their police. Our own officers that we send down there to train them are disgusted and they are saying we are the laughingstock. I know that we need to get up in those mountains, but I think we need to go up there ourselves and stop giving our money.

Mr. MENENDEZ. Reclaiming my time, I simply will say that I understand the gentlewoman's concerns, but unless we are going to send armed forces into another sovereign country which has all other types of ramifications, I think it is very, very dangerous and I would urge a "no" vote on the gentlewoman's amendment.

Mr. SOUDER. Mr. Chairman, I move to strike the requisite number of words. First off I know the gentlewoman shares a deep concern about the heroin and cocaine on the streets of Los Angeles and in Fort Wayne in my hometown, but she maligned the name of the National Police.

This hat belongs to Colonel Gallego who personally took down Pablo Escobar. He did not take him down because he was in on some kind of drug deal. They were trying to take out the Medellin cartel and then the Cali cartel. It has been difficult. You cannot make just random allegations about individuals.

There are problems in Colombia. We know there are problems in Colombia. None of us are going to stand here and defend Mexico. She mentioned it. But she is failing to distinguish between the Colombian National Police and their defense units.

General Wilhelm, the head of SouthCom, said that in Colombia, it is the number one priority in his command. I outlined earlier this afternoon the importance not only directly in Colombia but to the oil from Venezuela and the Panama Canal.

DEA Administrator Tom Constantine said after his visit that General Serrano and the Colombian National Police are the first line of defense in the war on drugs. He called these policemen heroes.

I know that while I may have a general reputation as a conservative among many people, I am still viewed in many places as kind of a liberal, open-minded guy. For example, Ambassador Frechette when I was in Colombia in particular asked me if I would go over and meet with the Human Rights Watch people and the people who had the concerns about the Colombian National Police and the Defense Department. In going through the particulars, they had no complaints on record, this was not this year but last year, with the Colombian National Police narcotics unit in particular but they do have them with the military. That is why this bill specifies specifically that the Black Hawks go to the Colombian National Police and the 50 Hueys go to the National Police.

The incident that she referred to earlier, there is a difference between the Danti, the Colombian antinarcotics group, and the National Police as a whole. It is on this hat. It says antinarcotics. You are accusing Colonel Gallego of not participating in the takedown of a paramilitary organization when he only has jurisdiction over antidrug issues and was in an antidrug raid at the time. You cannot mix apples and oranges and that is an incorrect statement on the House floor.

Ms. WATERS. Mr. Chairman, will the gentleman yield?

Mr. SOUDER. I will let you get additional time when I am done with my points.

Ms. WATERS. We have documentation.

Mr. SOUDER. You have documentation that he did not participate, not that he participated and took somebody down.

I want to illustrate what is at stake here. We have Huey helicopters that we would not allow Americans to ride in. Our only line of defense now in Colombia to keep the cocaine and heroin from our streets are these helicopters that are grounded. I personally visited in the hospital in Colombia some of the people in some of these Huey helicopters that have crashed. It is a tragedy that we are putting these old junkers out right now that will not work and we are trying to say that this is the only way we are going to protect our kids and families in America? If we do not make sure that the National Police have these helicopters and the ability to get up to the higher elevations with the Black Hawks and the Black Hawks can carry larger loads of people to protect the people who are trying to eradicate the drugs, let me assure you, if we do not do this, my son and daughter and your sons and daughters are going to be down there in Colombia trying to fight this war directly.

We have people out there, Colonel Gallego has a multimillion-dollar price on his head and his family is in hiding. General Serrano has even more millions of dollars' price on his head. If they are with the drug dealers, why are they trying to kill them? Why have they killed the equivalent of 30,000 American police officers in the last few years trying to fight this? These people are dying. These people deserve our praise and credit. I understand and am concerned about the corruption, too, and that is specifically why we are not allowing these funds to go into places where we are concerned they are going to be misused. But if we do not stand with those people who are fighting this war, we are going to have to fight it because our national security is at stake and our kids' lives are at stake.

Ms. WATERS. Mr. Chairman, will the gentleman yield?

Mr. SOUDER. I yield to the gentlewoman from California.

Ms. WATERS. Mr. Chairman, I appreciate the gentleman's concern.

I have here a letter from the very people that he referred to in the Human Rights campaign. Jose Miguel Vivanco, Executive Director, Human Rights Watch; Coletta Youngers, Senior Associate, Washington Office on Latin America; George Vickers, Executive Director, Washington Office on Latin America; and Jamie Fellner, Associate Counsel, Human Rights Watch, raising these questions about the National Police.

I have great sympathy for the fact that you have a relationship and that you certainly are pointing to someone who lost their life. Yes, a lot of people have lost their lives; however, we cannot stop them from dumping these drugs in our country.

The CHAIRMAN pro tempore (Mr. BURR of North Carolina). The time of the gentleman from Indiana (Mr. SOUDER) has expired.

(By unanimous consent, Mr. SOUDER was allowed to proceed for 30 additional seconds.)

Mr. SOUDER. Mr. Chairman, the point here is that the gentlewoman alludes to allegations. There is one specific point, it is well known publicly, that is, that the National Police antinarcotics unit did not participate in stopping a paramilitary group. That is different than alleging human rights abuses.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I reluctantly rise in opposition to the amendment because I know the gentlewoman from California, a colleague of mine, does fight in every way she can to remove drugs from the streets. I think her heart is in the right position on this particular amendment. I do see it a little bit differently and I would like to go through why we have those differences.

Almost every family in this country has been affected negatively by drugs one way or another, including my own, not only from usage but sale of drugs. I want to tell you how disappointing, how hurtful it is and how damaging it is to the family. It is not easy to deal with those kinds of things. We have

had a lot of activity, President Reagan, President Bush, President Clinton. I think President Reagan and President Bush made more of a dent in antidrugs than many of the other Presidents, but we have never really had a war, a real war on drugs. That is what it is going to take. It is across the lot of broad fronts. Is it education? Absolutely. Interdiction. Border control where most of it is coming from. The cargo containers. That is why one of the reasons we did not want Long Beach Naval Shipyard to fall to the Communist Chinese because they have been known to sell drugs along with AK-47s and the rest of it. Diplomatic, trade agreements ought to include these things and be real tough, and also penalties. Many times we come to the floor to penalize the people that are really selling these poisons to our neighborhoods and many people feel differently, that we should not do that.

Mr. Chairman, you remember a man named Enrique Camerino, a Border Patrol guy just east of my district and the district of gentleman from California (Mr. HUNTER). He was buried alive after being tortured by Mexican officials. Yes, Mexico does have a problem. But I want to tell my colleagues, I live down on the border. There are citizens in Mexico that feel the same as we do, they are fed up, they are exasperated. They want drugs out of their country and they do not want drugs being sold to other countries. There are law enforcement agents in Mexico that feel the same that we do. There are politicians that feel the same.

Are there problems? Yes. But I would say to the gentlewoman, if we are going to have this war, first of all we need to make sure that the resources go to where it is going to do the good and not pilfered. But if we take away those resources with the gentlewoman's amendment to people that we think are really fighting this war, then we are going to have problems. Because there are people in every one of those countries that are good citizens, whether they are law enforcement, politicians or just citizens.

I would remind my colleagues, it was right here in the House when we closed the Post Office, there were members, not Members of Congress but there were individuals selling cocaine right here in the Capitol of the United States. We have the Mayor of Washington D.C. that went to jail for cocaine.

Does it affect a lot of people? Is it in the political world? Is it individual? Every Member is being affected. I would say with the most humility, the gentlewoman's heart is in the right place in this amendment. I just happen to disagree with the amendment itself.

Ms. WATERS. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentlewoman from California.

Ms. WATERS. Mr. Chairman, I appreciate the recognition that the gentleman has for the concern of the Congressional Black Caucus and myself as we try and deal with the issue of drugs and he is right. It has touched an awful lot of lives. But as a fiscal conservative, I know that you would not throw your money away time and time again. You talk about, for example, the war on poverty and you make the case, well, what do we have to show for our money, you say?

I can show you more there than you can show me in terms of advancements that we have had, given the money we have been throwing down this rathole. I am saying to you as a fiscal conservative, you should not want to keep doing the same old thing. You have got to try something new. When you find time and time again and you have an article even in today's newspaper that says once again, these are the very people that we are funding to help fight the war on drugs are the drug dealers themselves and they are protecting those who are trafficking in drugs. You ought to want to change. You should not want to keep on doing the same old thing.

Mr. CUNNINGHAM. Reclaiming my time, I am a strong fiscal conservative. That is where the disagreement is. We feel that to fight this war and give it to the people that are very effective is the best that we can do, because it saves a lot of money in our own country and other countries fighting this. I think that is where the difference is, that we feel that there are people in Mexico and Colombia that are fighting this war effectively. If we accept the gentlewoman's amendment, then we lessen that war.

□ 1500

Mr. MCCOLLUM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to commend the gentlewoman from California (Ms. WATERS) for supporting this bill. She has been a strong proponent of H.R. 4300, been an original sponsor of it, and I am very pleased that she joined in it. With all due respect, I do disagree with her over her amendments. I am only going to briefly remark on those because they have been discussed considerably here, but one point I do want to make is that the only aid to Mexico in this bill would be in the form of six helicopters, if this were adopted, this bill were adopted, and that is contingent upon granting Mexico, granting our Drug Enforcement Administration the same diplomatic immunity that we have for the FBI and the same right to carry arms, which they have been very reluctant to do because of the incidents surrounding some drug enforcement agents. But we think that is terribly important, those helicopters are important, but nobody would deny the Mexicans, and currently the Mexican Government is embroiled in considerable problems with respect to the people down there who are running their operation, and we are all disturbed by that.

Columbia, as has been stated, is a different scenario completely. The Columbian National Police are extraordinary folks. All of the money in here, all of the equipment in here, goes strictly for their purposes, not to the Columbian military as such. In the 10 years the United States has been assisting the Columbian National Police in their efforts against narcotics, they have sustained 4,000 casualties. The Columbian National Police have given up 4,000 lives to try to destroy the drug operations in that country. General Serrano, when he came to office in taking charge of this group, purged 7,000 of his police officers because of human rights violations, and an incredible screening operation has gone on since then.

So I, with all due respect, must oppose the gentlewoman's amendment in that regard.

I also want to point out, though, in the closing moments of the debate here, as we get near the end of the bill, the very important bill itself that the gentlewoman supports, this bill is to provide some direction in conformance with what our people in Bolivia, Columbia, Peru, and in our military at the lower levels in SouthCom who are on the front lines of the effort against narcotics have told us that they need, that they want; and if they have it, that they could produce, with the cooperation of the three key governments involved, and our own government, of course, at the highest leadership levels, they could produce a reduction in the flow of drugs out of those three countries into the United States by 80 percent within 3 years.

That would be truly remarkable. When we consider the fact we have had double the teen drug use in this country in the last 6 years since 1992 and the fact that the administration's drug plan calls for a 10-year plan to simply reduce drug use and drugs imported into this country by 50 percent in 10 years, this is a very, very significant thing we are trying to do in this bill, and we very much need to come to a closure on giving them the resources. That is, the planes; there are a lot of planes in here that go to Customs, new planes so we get the radar we need to be able to see down. We need to have the Coast Guard equipment, we need to have the resources that are here. Most of all, we need to do what this administration has not done, and that is to fight a real war against drugs and to end all of this now that we need to be doing.

So I urge in the strongest of terms the adoption of this bill at the conclusion of the amendment process and, of course, the defeat of this amendment.

Mr. GINGRICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me begin by commending the gentleman from Illinois (Mr. HASTERT), the gentleman from Florida (Mr. MCCOLLUM), the gentleman from Ohio (Mr. PORTMAN), and all the different Members who have spent so much time working on this. Let me commend all the Members in the Democratic Party who have been active on this issue and who know that drugs have been a disaster for this country, who know that a great deal of the violence we are now facing is violence that either comes directly from the use of drugs or comes from drug dealers or from people fighting over drug territory.

Since 1992, we have seen an 80 percent increase in marijuana use among high school seniors. Since 1992 we have seen an 80 percent increase in cocaine use among high school seniors. Since 1992 we have seen a 100 percent increase in heroin use among high school seniors. For kids 12 to 17, first-time heroin use has surged 875 percent from 1991 to 1996. Heroin is killing kids in Texas, in New York, in Florida, in California.

And make no mistake about it. Heroin, cocaine, marijuana, are not problems of the inner city, they are not problems of minorities, they are not problems of the poor; these are problems that affect every American in every town in this country.

To stand in Iowa and be told that one of the two biggest issues in Iowa this fall is methamphetamines and the traffic coming in from Mexico and coming up the interstate in the smallest towns in Iowa, clearly that is a problem. What makes it a tragic problem is not only that it destroys young people, that it ruins their lives, but that it is avoidable.

From 1980 to 1992, we had a dramatic decline in drug use in the United States. It is very important to understand that. From 1980 to 1992, drug use kept coming down. It is ironic to me that we have living proof, as an historian, occasionally these things happen, and we kind of wonder how did we get there.

As an historian, I know that in the summer of 1992, by any reasonable standard, we were winning the war on drugs. Cocaine use in that period was down dramatically, marijuana use in that period was down dramatically, heroin use in that period was down dramatically, I think largely for two very different reasons, both of which this bill seeks to work on.

First because, led by Nancy Reagan, there was a just-say-no program that the experts laughed at but the American people listened to, and it turned out that when 7,- 8,- 9,- 10-, 11-year-olds hear just say no, when they hear it on television and advertising, when they hear it in school, when they hear it at church or synagogue or mosque, when they hear it from their parents, when they hear it from authority figures they respect such as President Reagan, they say, I guess that is right. And they said no, and we saw a dramatic impact over a 12-year period. And drug use was declining, and it was reasonable to project in the summer of 1992 that we were going to win the war on drugs. Literally win the war. We were on the way.

Then for a variety of reasons, and I do not want to go into the partisan background, and I am not going to make any partisan attacks here, for a variety of reasons, the war on drugs got off track and drug use went back up over the following 6 years.

So here we are in 1998. This is not the bill I wish we were passing. The bill I wish we were passing would have been written by General McCaffrey with the total support of the Pentagon, with the strong support of the State Department, with the strong support of the Justice Department, with the strong support of the Treasury Department, with the open hand of the Office of Management and Budget, and with the enthusiastic public speeches by the President and the Vice President. That is the bill I wish we had here.

That bill does not exist. General McCaffrey is not given the authority to write that bill, the Pentagon will not cooperate in writing it, the State Department will not pay attention in writing it, the Treasury Department will not think through the problems of our border, the Justice Department is itself busy, and the Office of Management and Budget will not approve the funds.

So the Congress is writing a bill.

I just talked to General McCaffrey a few minutes ago, and I assured him that when this bill passes the House and when it passes the Senate and when we meet in conference, we will be glad to sit down with him and work out any practical details he is concerned about. But what we will not do in this Congress is have the administration fail to show leadership, fail to provide a successful plan, fail to provide the resources.

For example, there are no ships in the eastern Pacific. That is not the Congress's fault. So to be told we do not solve all their problems, which by the way they do not solve either, is a nonstarter. Why are there no ships in the eastern Pacific? Because this administration did not think it was a high enough priority. To be told, on the one hand, we do not have the airplanes today and, on the other hand, under our bill they will not get them for 2 years, so that 2 years from now we will have the airplanes; but if we do not pass our bill, 2 years from now they will not have the airplanes and they will say, well, they will not get them for 2 years.

So the answer all too often downtown has been, let us not talk about it, let us not address it, let us not solve it, let us not pay for it, let us not do it, let us not plan it. And then our children use drugs. And our children die.

This bill is a step in the right direction. It is a step on prevention, it is a step on rehabilitation, it is a step on interdiction. All three steps need to be taken simultaneously.

It is a good bill, it is an important bill, and it says in the right direction we are going to do what it takes to win the War on Drugs.

And let me just say one closing thing. I see the chairman of the Committee on International Relations is here. We have Members from every committee that deals with this, from the Committee on Appropriations, from the Committee on Ways and Means, from the Committee on the Judiciary, from the Committee on Government Reform. Every committee that has a piece of this action is involved, because we think saving our children is important enough to transcend the bureaucracies and transcend the territorialities and get the job done.

I commend in particular the gentleman from Illinois (Mr. HASTERT) who has led the task force that has brought everyone together. And we stand ready, as soon as this is done, to go right to the administration, to sit down with every part of the bureaucracy that needs to be involved, to work in good faith in our children's behalf and to make sure that we get the best possible bill to dramatically strengthen our ability to tell the kids not to do it, where the gentleman from Ohio (Mr. PORTMAN) has been such a great leader, to help rehabilitate those who are doing it, and to help interdict those who would come and destroy our children.

I urge a strong "yes" vote on final passage.

Mr. FORD. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN pro tempore (Mr. BURR of North Carolina). The gentleman is recognized for 1 minute.

Mr. FORD. Mr. Chairman, I rise in support and really I thank the gentleman from Georgia (Mr. GINGRICH), I thank the gentleman from Illinois (Mr. HASTERT) and I thank the gentleman from Florida (Mr. MCCOLLUM) for the leadership as well as those others, the gentleman from Ohio (Mr. PORTMAN), the gentlewoman from California (Ms. WATERS) and others who have supported this substitute offered by Mr. MCCOLLUM.

But sections 201 and 204, striking them would not do violence to what the Speaker has just talked about. I even applaud his work in this area. But I would remind the Speaker, as he decried the fact that the administration has not been as supportive as he would

like on these issues, I would remind him that the administration is also supporting using the surplus for Social Security, and the other side would like to use it for tax cuts, and that has not stopped the other side from pushing a tax cut bill.

The Speaker has spoken so eloquently about education over the past several months. He has decried efforts in the public arena to educate kids. That did not stop him from pushing a voucher program because he thought that our public schools were not educating our kids. We have evidence, ample evidence, that much of the money that we are spending in these areas is not actually being used to fight drug trafficking. All of us on this side support all efforts, interdiction and domestic efforts, to fight at every point of entry in this Nation, every point of entry in all of our communities and neighborhoods. But we cannot continue going down a path where we are getting a door slammed in our face. It is clear that moneys we are spending now are being used by drug traffickers. It is clear that what we are doing now, moneys are being spent with agencies who are apparently purportedly out to attack drug traffickers who are actually complicit in working with drug traffickers.

Let us do the right thing, strike 201 and 204, and let us pass this Western Hemisphere Drug Elimination Act and do something positive.

The CHAIRMAN pro tempore. The time for consideration of amendments in this bill having expired, the Chair must now put the question on the amendment offered by the gentlewoman from California (Ms. WATERS).

The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Ms. WATERS. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 537, further proceedings on the amendment offered by the gentlewoman from California (Ms. WATERS) will be postponed.

The point of no quorum is considered withdrawn.

□ 1515

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore (Mr. BURR of North Carolina). Pursuant to House Resolution 537, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 4 offered by the gentleman from Florida (Mr. MCCOLLUM); the amendment, as modified, offered by the gentleman from Texas (Mr. REYES) to the amendment offered by the gentleman from Ohio (Mr. TRAFICANT); the amendment offered by the gentlewoman from California (Ms. WATERS).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 4 OFFERED BY MR. MCCOLLUM

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. MCCOLLUM) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 362, noes 61, not voting 11, as follows:

[Roll No. 438]

AYES—362

Abercrombie
Ackerman
Aderholt
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Christensen
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Emerson
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Mink
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Salmon
Sánchez
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Upton
Walsh
Wamp
Waters
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOES—61

Allen
Barrett (WI)
Bateman
Berman
Blumenauer
Brown (CA)
Carson
Chenoweth
Clay
Conyers
Davis (IL)
DeFazio
Dicks
Dingell
Dixon
Dooley
Ehlers
Ehrlich
Farr
Fazio
Filner
Frank (MA)
Furse
Hamilton
Harman
Jackson (IL)
Kanjorski
Kennedy (RI)
Klink
Lee
Lewis (GA)
Lowey
McDermott
Miller (CA)
Minge
Moran (VA)
Nadler
Oberstar
Obey
Olver
Paul
Payne
Pelosi
Pickett
Porter
Rush
Sabo
Sanders
Sanford
Scott
Skaggs
Stark
Stupak
Tauscher
Torres
Velázquez
Vento
Visclosky
Watt (NC)
Waxman
Yates

NOT VOTING—11

Engel
Gonzalez
Goss
McHugh
Meeks (NY)
Poshard
Pryce (OH)
Riggs
Schumer
Smith, Linda
Towns

□ 1538

Messrs. MINGE, VISCLOSKY, DOOLEY of California, VENTO, BROWN of California and MATSUI changed their vote from "aye" to "no."

Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ESHOO, Ms. DANNER, and Messrs. HINOJOSA, COYNE, BERRY, ABERCROMBIE, BECERRA and MATSUI changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. BURR of North Carolina). Pursuant to House Resolution 357, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed for further proceedings.

The Chair also intends to put the question on the Traficant amendment immediately after the vote on the Reyes amendment to the Traficant amendment. If a recorded vote is ordered on the Traficant amendment, it will be taken immediately, and it will also be a 5-minute vote.

AMENDMENT, AS MODIFIED, OFFERED BY MR. REYES TO THE AMENDMENT OFFERED BY MR. TRAFICANT

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment, as modified, offered by the gentleman from Texas (Mr. REYES) to the amendment offered by the gentleman from Ohio (Mr. TRAFICANT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 256, not voting 11, as follows:

[Roll No. 439]

AYES—167

Abercrombie
Ackerman
Allen
Baldacci
Barrett (WI)
Bateman
Becerra
Bentsen
Berman
Berry
Blagojevich
Blumenauer
Bonilla
Bonior
Borski
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Buyer
Capps
Cardin
Carson
Chenoweth
Clay
Clayton
Clement
Clyburn
Condit
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Edwards
Ehrlich
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Goodling
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hayworth
Hefner
Herger
Hilliard
Hinchey
Hinojosa
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kingston
Kleczka
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Lee
Lewis (GA)
Lofgren
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McDermott
McGovern
McHale
McIntosh
McKinney
Meehan
Meek (FL)
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pastor
Paul
Payne
Pease
Pelosi
Pomeroy
Rahall
Reyes
Rodriguez
Rothman
Roybal-Allard
Rush
Ryun
Sabo
Sanders
Sanford
Sawyer
Scott
Serrano
Skaggs
Skelton
Slaughter
Snyder
Souder
Stabenow
Stark
Stokes
Stump
Stupak
Thompson
Thornberry
Tierney
Torres
Velázquez
Vento
Waters
Watt (NC)
Waxman
Weygand
Wise
Woolsey
Wynn
Yates

NOES—256

Aderholt
Andrews
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Brady (TX)
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Christensen
Coble
Coburn
Collins
Combest
Conyers
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Ensign
Eshoo
Etheridge
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hefley
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kildee
Kim
Kind (WI)
King (NY)
Klink
Klug
Knollenberg
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Manton
Manzullo
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McInnis
McIntyre
McKeon
McNulty
Mica
Miller (FL)
Moran (KS)
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Paxon
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Price (NC)
Quinn
Radanovich
Ramstad
Rangel
Redmond
Regula
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Salmon
Sánchez
Sandlin
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Solomon
Spence
Spratt
Stearns
Stenholm
Strickland
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Engel
Gonzalez
Goss
McHugh
Meeks (NY)
Poshard
Pryce (OH)
Riggs
Schumer
Smith, Linda
Towns

□ 1548

Mrs. KENNELLY of Connecticut changed her vote from "no" to "aye."

So the amendment, as modified, to the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. BURR of North Carolina). The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. TRAFICANT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 291, noes 133, not voting 10, as follows:

[Roll No. 440]

AYES—291

Aderholt
Andrews
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Christensen
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (VA)
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Emerson
Engel

English
Ensign
Eshoo
Etheridge
Everett
Ewing
Fawell
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastert
Hastings (WA)
Hefley
Hefner
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McInnis
McIntyre
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Minge
Moakley
Moran (KS)
Moran (VA)
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pallone
Pappas
Pascrell
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Portman
Price (NC)
Quinn
Radanovich
Ramstad
Rangel
Redmond
Regula
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Salmon
Sánchez
Sandlin
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
White
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—133

Abercrombie
Ackerman
Allen
Baldacci
Barrett (WI)
Bateman
Becerra
Bentsen
Berman
Berry
Blagojevich
Blumenauer
Bonilla
Bonior
Borski
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Buyer
Carson
Chenoweth
Clay
Clayton
Conyers
Coyne
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Ehrlich
Evans
Farr
Fattah
Fazio
Filner
Frank (MA)
Furse
Gejdenson
Green
Gutierrez
Hamilton
Hastings (FL)
Hayworth
Hilliard
Hinchey
Hinojosa
Hooley
Jackson (IL)
Jackson-Lee (TX)
Johnson, E.B.
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kleczka
Kolbe
Lee
Lewis (GA)
Linder
Lofgren
Markey
Martinez
McDermott
McGovern
McHale
McIntosh
McKinney
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller (CA)
Mink
Mollohan
Morella
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Parker
Pastor
Paul
Payne
Pelosi
Pombo
Porter
Rahall
Reyes
Rodriguez
Roybal-Allard
Rush
Ryun
Sabo
Sanders
Sanford
Sawyer
Scott
Serrano
Skaggs
Slaughter
Snyder
Stark
Stokes
Stump
Stupak
Thompson
Thornberry
Tierney
Torres
Velázquez
Vento
Waters
Watt (NC)
Waxman
Weygand
Whitfield
Wise
Woolsey
Wynn
Yates

NOT VOTING—10

Gonzalez
Goss
McHugh
Meeks (NY)
Poshard
Pryce (OH)
Riggs
Schumer
Smith, Linda
Towns

□ 1558

Mr. ROTHMAN changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. WATERS

The CHAIRMAN pro tempore (Mr. BURR of North Carolina). The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. WATERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 67, noes 354, not voting 13, as follows:

[Roll No. 441]

AYES—67

Abercrombie
Barrett (WI)
Bonior
Brady (PA)
Brown (CA)
Brown (FL)
Carson
Clay
Clayton
Clyburn
DeFazio
Doggett
Farr
Fattah
Fazio
Filner
Ford
Furse
Gephardt
Hamilton
Hilliard
Hinchey
Hinojosa
Jackson (IL)
Jackson-Lee (TX)
Kilpatrick
Kleczka
Lee
Lofgren
Lowey
Luther
McCarthy (MO)
McDermott
McKinney
Meek (FL)
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran (VA)
Nadler
Oberstar
Obey
Olver
Owens
Pastor
Paul
Payne
Pelosi
Rivers
Roybal-Allard
Sabo
Sanders
Scott
Stabenow
Stark
Stokes
Thompson
Tierney
Torres
Velázquez
Vento
Waters
Watt (NC)
Woolsey
Wynn

NOES—354

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Menendez
Metcalf
Mica
Miller (FL)
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryun
Salmon
Sánchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw

Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wilson
Wise
Wolf
Yates
Young (AK)
Young (FL)

NOT VOTING—13

Conyers
Gonzalez
Goss
Kaptur
McHugh
Meeks (NY)
Poshard
Pryce (OH)
Radanovich
Riggs
Schumer
Smith, Linda
Towns

□ 1607

Mr. NEAL of Massachusetts and Mr. RUSH changed their vote from "aye" to "no."

So the amendment was rejected.

The vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Chairman, I was unavoidably detained for rollcall vote 441. Had I been present, I would have voted "yes."

The CHAIRMAN pro tempore (Mr. BURR of North Carolina). The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DREIER) having assumed the chair, Mr. BURR of North Carolina, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4300) to support enhanced drug interdiction efforts in the major transit countries and support a comprehensive supply eradication and crop substitution program in source countries, pursuant to House Resolution 537, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. DREIER). Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTERT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 384, noes 39, not voting 12, as follows:

[Roll No. 442]

AYES—384

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sánchez
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Upton
Walsh
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NOES—39

Bonior
Carson
Chenoweth
Conyers
Davis (IL)
DeFazio
Filner
Frank (MA)
Hamilton
Jackson (IL)
Jackson-Lee (TX)
Lee
Lewis (GA)
Lofgren
McDermott
Miller (CA)
Moran (VA)
Nadler
Oberstar
Obey
Olver
Owens
Paul
Payne
Pelosi
Reyes
Sabo
Sanders
Sanford
Scott
Skaggs
Stark
Torres
Velázquez
Vento
Visclosky
Watt (NC)
Woolsey
Yates

NOT VOTING—12

Gonzalez
Goss
Horn
Martinez
McHugh
Meeks (NY)
Poshard
Pryce (OH)
Riggs
Schumer
Smith, Linda
Towns

□ 1628

Ms. WOOLSEY changed her vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HASTERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4300, the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1995

Mr. McKEON. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1995.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DRUG DEMAND REDUCTION ACT

Mr. McINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 538 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 538

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4550) to provide for programs to facilitate a significant reduction in the incidence and prevalence of substance abuse through reducing the demand for illegal drugs and the inappropriate use of legal drugs. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by Representative Hastert of Illinois or a designee and a Member opposed to the bill. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed three hours. Before consideration of any other amendment it shall be in order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by a Member designated in the report. That amendment shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. After disposition of that amendment, the provisions of the bill as then perfected shall be considered as original text for the purpose of further amendment under the five-minute rule. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1630

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Colorado (Mr. McINNIS) is recognized for 1 hour.

Mr. McINNIS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY) pending which I yield myself such time as I may consume. During the consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, the proposed rule is a modified open rule providing for 1 hour of general debate equally divided between the gentleman from Illinois (Mr. HASTERT) or a designee of Mr. HASTERT's and a Member opposed to the bill. After general debate, the proposed rule provides for a 3-hour time limit on the amendment process.

House Resolution 538 further provides, prior to the consideration of any other amendment, for the consideration of the amendment printed in the report of the Committee on Rules if offered by a Member designated in the report. This amendment shall not be subject to demand for division or to amendment and shall be debatable for the time specified in the report, equally divided and controlled by a proponent and an opponent.

Mr. Speaker, finally, the proposed rule provides that should the amendment be adopted, the bill, as amended, be considered as original text for the purpose of further amendment.

The proposed rule provides that the Chairman of the Committee of the Whole may accord priority in recognition to Members who preprint their amendments in the CONGRESSIONAL RECORD. The proposed rule also allows the Chairman of the Committee of the Whole to postpone votes on amendments and reduce to 5 minutes the minimum time for electronic voting on any postponed votes provided voting time on the first in a series of questions is not less than 15 minutes.

Finally, the rule provides 1 motion to recommit, with or without instructions.

This rule was reported out of the Committee on Rules by a voice vote.

Mr. Speaker, the underlying legislation, the Drug Demand Reduction Act of 1998, is intended to intervene and reduce the demand for illegal drugs and the inappropriate use of illegal drugs in this country. The Drug Demand Reduction Act of 1998 complements other anti-drug legislation like H.R. 4300, the Western Hemisphere Drug Elimination Act, and seeks to interdict drugs before they reach the United States. This proposed rule will allow ample time for the House to consider this measure, any amendments to it; 1 hour for the proposed rule, 1 hour of general debate and 3 hours on the amendments; a total of 5 hours devoted to the debate regarding H.R. 4550 and the Drug Demand Reduction Act of 1998.

The underlying bill is a recent product of the Drug Task Force headed by the gentleman from Illinois (Mr. HASTERT). However, the provisions of the underlying bill have been under consideration for the past year. Most of the provisions contained in the bill can be found in our bills, bills that have been thoroughly considered in other committees.

I am not happy to note that illegal and illicit drug use in this country have doubled in the last several years. As a former police officer, Mr. Speaker, as somebody who has been on the street and somebody who understands illegal drugs, as somebody who has dealt with illegal drugs on a firsthand basis in my law enforcement days, I can tell my colleagues that this is a situation that is a serious, serious situation, and the Members ought to support this rule and move on to address the substance of this legislation. And it is my forecast the majority of our colleagues on this House floor will, in fact, support this bill because we share a common thread, and that thread is, cut out the illegal drugs.

I think the Republicans have worked very strongly on this issue, an issue that has been driven in our Republican conference for a long period of time, and finally we are bringing it to some time of fruition.

As Members noted in the earlier debate on the Western Hemisphere Drug Elimination Act, for kids 12 to 17, first-time heroin use, which has been proven to kill, surged 875 percent from 1991 to 1996. There is a problem out there, and it is a big problem. We, the Congress, have got to address this drug problem in this country. The Drug Demand Reduction Act of 1998 seeks to address the prevailing attitude towards drugs and shift that attitude.

As a father of three children, actually three teenagers, two now in college and one that is now a junior in high school, I can tell my colleagues firsthand, we deal with lots of issues in our family discussions; but the one that concerns my wife Laurie and I the most is, what about illegal drugs? And constantly we have conversations with our children, as my colleagues do with theirs, about how deadly these things

can be, how any kind of enjoyment on them, if it is there, is temporary at best, and the damage is long term. These discussions should be amplified by everybody in this country, and this bill helps our country move towards that War on Drugs. It is critically, critically important.

The Drug Demand Reduction Act of 1998 seeks to intervene and send that message that drug use is not only dangerous, it is wrong, it is illegal, and it is illegal for a purpose. It is illegal because it gets people nowhere.

I like the advertisement on TV with the gentleman who says, "Intervene any way that you can." I will talk about that a little bit later on, but I think that is a message that we should do here. This is one way that we can intervene. As he says, "Get between your kids and those illegal drugs." This bill is a step in that direction. It helps us intervene any way we can.

And we should not spend a lot of time on semantics. We know what it does, this bill is clear. Contents of this bill have been in front of a number of committees. We have put it together as a model, it is ready to go, and I encourage my colleagues to support the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume, and I thank my dear friend from Colorado (Mr. MCINNIS) for yielding me the customary 30 minutes.

Mr. Speaker, illegal drugs are the scourge of American society. Illegal drugs damage or destroy not only the individual using them, but they impose a tremendous cost on the American society as a whole, a cost that is just too high for our society to continue to pay.

No one, nobody in this Congress, holds a monopoly on deploring what drugs have continued to do to the millions who use these poisons.

But, Mr. Speaker, I am sure this bill will pass, as indeed it should. We all want to do whatever it takes to stop illegal drug use in this Nation.

But I must take this opportunity to address the process or the lack thereof that surrounds this bill.

This legislation has been drafted behind closed doors, by a task force composed almost entirely of Republican Members, with little opportunity for input from the other side of the aisle. And what that means, Mr. Speaker, is that the ideas of all but a very few Democratic Members were not a part of the discussion when this bill was created. It also means that we are today considering a bill that was introduced only last Thursday and then referred to six committees; referred to six committees, Mr. Speaker, none of which has taken any action on this bill.

This bill has had no hearings, it has not been subjected to the scrutiny by experts in the field of drug abuse; yet, Mr. Speaker, it will be touted as a major anti-drug initiative. It will be managed on the floor not by the chairman of the committee of original jurisdiction, but by the head of the Republican task force that drafted it.

This is not the way we should be proceeding with an issue as important to our Nation as combating the War on Drugs.

My concerns, Mr. Speaker, may be the ultimate inside baseball; however, I think that when the Congress is addressing what may be one of our most pressing, what may be one of our most critical social problems, that we would all be better off and we would all be better served if all points of view were part of this process.

Again, I must point out that no one among us holds a monopoly on condemnation of the use of illegal drugs. We might, however, differ in our views in which way to approach reducing the demand and the use of them. We do have a committee process, Mr. Speaker, and I think had this bill been considered under regular order, it might have far more to offer in our national struggle against the use of illegal drugs.

Mr. Speaker, I am not saying this is not a good bill. It is a good bill as far as it goes. I am especially pleased that the bill includes authorization for the creation of a model substance abuse treatment program for men and women in our prisons.

The relationship between drugs and crime is alarming. The Office of National Drug Control Policy says that as drug use increases, so does the number of crimes that a person will commit. The National Drug Control Policy Office also points out that a 1992 survey of chronic drug users not in treatment found that during the 30 days prior to enrollment in that study, more than 50 percent of both male and female drug users were involved in some kind of illegal activities.

Drug use has led to the substantial growth in the prison and jail population in this country so that today we have, and this is very important, today we have more people behind bars in our prisons in this country than we have men and women in our entire Armed Forces. Clearly this should be our national policy, to use the time substance abusers are behind bars to expose them to treatment in the hopes that they will not return to a life of drugs and crime once they are free.

But again, Mr. Speaker, it should be our policy to keep our children away from drugs in the first place, and while this bill provides $195 million for a national anti-drug media campaign and $30 million in authorization for parent involvement programs, it ignores a proposal made by the administration to create a pilot program that would provide 6,500 schools around this country with drug prevention counselors. It also ignores alcohol abuse in teenagers and ignores under-age smoking, both gateway behaviors that can lead to later illegal drug use.

Mr. Speaker, this bill also ignores making more treatment beds available around the country. In fact, an amendment by the gentleman from Minnesota (Mr. RAMSTAD) to address this very important component of drug control was voted down by the Committee on Rules Republicans. The Ramstad amendment, based on a bill which has 92 cosponsors, would help alcoholics and would help addicts who are working and who have health insurance get treatment by requiring health insurers to treat alcoholism as an addiction, as diseases on a parity with other covered diseases. This amendment is a good one, for if we are to combat and confront addictions on both alcohol and drugs, we have to make sure that the treatment is available, we have to make sure that it is affordable.

□ 1645

But unfortunately, Mr. Speaker, the House will not get any opportunity to vote on this very important issue.

Mr. Speaker, there are no easy answers to this very crushing problem. I only wish that my Republican colleagues had included more Democrats in their deliberations. Had they used the tried and true committee process, perhaps the more Democratic voices might have been heard. This is a national crisis requiring the efforts of every American.

I will vote for the bill, Mr. Speaker, but I think it would have been a far better product had it been created in a truly bipartisan manner.

Mr. Speaker, I reserve the balance of my time.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume. I have great respect for the gentleman from Massachusetts, and I know that from a personal standpoint he is very adamant about our involvement in the war against drugs, but he also represents the views of some people perhaps who have come to him and complained.

Let me point out a couple of things that I think are important that the gentleman brought up in his statement.

Number 1, anybody who does not like this is free to vote "no." Number 2, the Democrats, when they controlled the Congress, they controlled the Senate, they controlled the House, and they had the current President as President of the United States, they could have put this bill through overnight. It took the Republicans, frankly, who only control the House and the Senate, we do not control the presidency, it took us to push this thing forward. And at that, we are making it bipartisan. The bill itself is constructed from the components of a number of other bills.

This is a good bill. This takes on the illegal drugs out there. I am a parent. I used to be a cop. I know what we need to do. Carroll O'Connor, as I said earlier in my testimony, said, get in between the drugs, intervene any way we can. The Democrats did not do it when they had the House and the Senate and the presidency. This bill does, and it is a bipartisan bill.

Now, there was some comment made about one of my colleagues here did not get his amendment put in order. It was not the content of the amendment that caused the problem, it was that the amendment was not germane to the bill. We agreed to an open rule; we are going to have lots of time for debate. In fact, Mr. Speaker, the time we are allowing for debate here is exceptionally generous.

The basics of the bill are pretty simple. We have 4 or so amendments, we have one hour of general debate and several hours for the amendments, but we have to keep it germane, we have to keep it on subject, and that is what we were attempting to do there.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

I said I was not opposed to the bill, I was opposed to the process. We have a committee process in the Congress. The Congress meeting in committee is the Congress working. I mean all of a sudden just to set that committee process aside and create a task force, why do we not just do away with all of the committees and make a task force; in fact, get rid of the Committee on Rules and just get a task force. Things would be done much quicker, but I am not sure that being quick about some of these pieces of legislation is the best way to go.

Mr. Speaker, I yield 7 minutes to the gentleman from Michigan (Mr. DINGELL), the ranking member of one of the committees that was bypassed in this process.

Mr. DINGELL. Mr. Speaker, one can tell this is an election year, because with this wonderful piece of legislation we have authorized a lot of programs which are now in effect and which are now working. A remarkable exercise.

Having said that, this is the most curious process. The bill was introduced Friday last, and essentially, according to the reports that we have been able to get from the departments, authorizes a series of programs that are now in place and that are now working just fine.

The bill was apparently referred to the Committee on Commerce as well as the Committee on Government Reform and Oversight, Committee on Small Business, Committee on Transportation and Infrastructure, the Committee on the Judiciary, Committee on Education and the Workforce. None of them ever had hearings, never did anything on it, because they did not have time. It just came up here Friday.

There are a lot of questions my Republican colleagues need to address. Did any of the committees report on this bill? Did any of the committees have hearings? Did any of the committees take testimony from any citizen or from any governmental agency? The answer is no, they did not. Did any of these committees have hearings on the bill? No. How was this bill drafted? Well, I gather that it was drafted by a Republican task force. Clearly, that is hardly adherence to the regular procedures and orders of the House, or indeed, a proper following of the rules of this body.

Were any outside groups involved in the drafting of this bill? Were there consultations with any government agency or any private anti-drug agency? How did the task force function? Did they comply with the requirements of the sunshine rules? Did they comply with the Rules of the House? How did they decide what outside groups would appear and would testify, or which would not?

The bill has a very interesting proposal and provision in it. It strengthens and lengthens the exclusivity period for antiaddiction drugs by 6 months. Was there any consultation on this matter with the Food and Drug Administration, the Department of Health and Human Services, or the Patent Office? The answer is none.

But interestingly enough, what does this do? It says, if one has an antiaddiction drug that one will get an extension on any period of exclusivity on any drug which one happens to have in one's drug inventory. Not necessarily the one on which one has the antiaddiction drug, but on any others. And according to the Food and Drug Administration, this could even extend to drugs on which the period of exclusivity has expired, a most remarkable provision. So that a drug owner, or rather a patent holder may then extend his period of exclusivity on any drug in his inventory if he so chooses, even if the period of exclusivity has expired.

Was there any consultation with the Justice Department, the Patent Office, the Food and Drug Administration on this? Absolutely not. But, after all, this is an election year, and this matter should be rushed to the floor so that it may be voted upon, even though almost all the provisions of this bill are now being funded and being implemented and on which programs are now in fact in place.

Now, let us look at some of the requirements of the distinguished gentleman from Ohio (Mr. PORTMAN), who is the principal author of this bill and who is the author of provisions of the rules which relate to requiring the government to take certain actions. For example, did the Congressional Budget Office calculate the cost of the provisions with regard to patients who use antiaddiction? The answer is no, the Congressional Budget Office did not. Was there any estimate of the windfall to the drug companies involved? Absolutely not, none.

Now, let us talk about secrecy. When this Congress adopted the government sunshine amendments to the House rules, something which my Republican colleagues made great hay about, it was promised that television cameras would be allowed in the markups of all bills so that the public would be allowed to watch how our bills are written, and to hear what is said by citizens, by government, by business, by special interests. Was anything of that kind happening here? Absolutely not. It was done by a task force.

Now, I find, after careful reading of the rules and after some 40 years and more service in this place, no mention in the Rules of the House of Representatives with regard to task forces or behavior of task forces or requirements for openness or other good behavior.

Why was this bill written in a task force? Why was it written in secrecy? Why was it written outside the scrutiny of the public? Has the bill ever been reviewed by the administration? The answer to all of the above is no. Has the bill ever been reviewed by health experts, by Food and Drug, by the Attorneys General of the States or of the United States? Has the bill ever been reviewed by any of the drug-opposing agencies like DEA or FDA, or the National Institutes of Health, or the parts of NIH which address the questions of drug abuse and drug addiction? The answer again is no.

Were any members of the public permitted to comment on this legislation to say whether it was good or bad or whether it should be changed, have more or less money? The answer is no. Are any government analysts in on the drafting of the bill? The answer to this question is no. Does this bill require waivers of the House rules? If so, what rules does it require? Does the bill require waivers of the Budget Act? We do not know. It is not said in here, and the Rules of the House do not apply to this because it was never reported by a committee, it was reported by task force, whatever that happens to be.

Mr. Chairman, I think the question we really ought to ask is, why do we not use the regular order? Why do we not follow the Rules of the House? Is there any information or evidence in the hands of the authors and the sponsors of this legislation that this body would not have considered this bill fairly, speedily and expeditiously? The answer to that question is, there is none.

Why is this bill being brought to the floor in such an extraordinary fashion without hearings, without markup? Is there any frustration with the leadership of the committees? Is there any

CBO estimate as to the cost or budget impact? Are there any inflationary impact statements required by the Rules of the House? The answer is, there is none. Is there any regulatory impact statement? The answer is, there is none. Are there any requirements which are imposed on reported bills complied with here, as in the case of reports on unfunded mandates, as required so capably by my good friend who is the author of this bill who seems in some curious fashion to be anxious to evade the requirements of an imposition which he has put into the rules.

There is no evidence whatsoever that there has been any evasion of the responsibilities of the committee's right by good Republican Members like the gentleman from Virginia (Mr. BLILEY), my friend; it is just that this, my dear friends, is an election year. This is a wonderful opportunity to rise and say, we are doing something about drugs, and what are we doing? We are doing something which first of all evades the rules, second of all evades the ordinary practices of the House, and third, which evades any requirement that we have proper consideration of this legislation, and which puts on the floor proposals which are already being implemented by the Government of the United States and for which Members of this body have already voted money for the implementation thereof.

Mr. Chairman, I think this is the most curious process. It is perhaps excusable by the fact that my Republican colleagues do not want to point out the fact that these things are already being done. And I can understand why they would not, because if they are going to pass a piece of legislation which is essentially a bill to celebrate an oncoming election by passing a piece of legislation that does not mean anything, one does not want to have any committee scrutiny which shows that the bill does not do anything. That is the problem that we have here.

The rules of this House have served this body well. The Rules of the House work. They say that they will consider legislation well. They say we will know when there are windfalls for special interests, like as in this legislation which provide for a windfall for God knows who for the Lord only knows how much and for any product which they put on the market which is protected by exclusivity.

This is a most remarkable exercise. It is one which I would assume my Republican colleagues would practice only in an election year, because that is the only time that this kind of slovenly chicanery, sloppy legislation and irresponsibility needs to be practiced, unless my colleagues on the other side also choose to do so in odd-numbered years.

□ 1700

Having said this, reject the rule. Let the committees look at the bill. Give the committees opportunities to consider the things in this legislation in the light of the expertise of the committees. The committees are run by Republicans. There is no mention of task forces in the rules of the House.

Bring the people into the process. Let us let sunshine work. Let us find out what the legislation does. Let us not go home and kid the people and say we passed a great piece of legislation without admitting that almost all of it is now being implemented by law and this whole exercise is related to the fact that the election is 7 weeks off.

Follow the rules of the House of Representatives. They have been crafted by wiser men than any who sit here, and they work and they see to it that the public is well served in the light of day by careful consideration of the views of all the people and an understanding of what the legislation would do.

Reject the rule, send it back to committee, let us have a proper look at it, and we will bring you a piece of legislation of which my colleagues could be proud instead of having to sneak home and lie to our people about how something was done which in fact was not done.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

Of course, the gentleman's verbal assault that we have just listened to for the last 7 minutes if anything indicates it is an election year. It is his words. Put all that aside.

Obviously, we are not disobeying the rules of the House. If we were disobeying the rules of the House or if we were not following the rules of the House, the Speaker would rule us out of order. It is within the rules of the House of exactly what we are doing, and we are dealing with the drug problem.

I know that the gentleman is concerned; that he claims this was done in secrecy. This was not done in secrecy. This is not a defense secret. This is done in the public. We see it. We see everybody in the streets, the problem.

The gentleman has every right to vote against this bill. The gentleman has every right to get the Members on his side of the aisle who, by the way, did not pass this kind of legislation, who did not do something about this, in my opinion, when they controlled both Houses and the Presidency.

Instead, when we do, we get a few Members over there that take a verbal assault on what I think is a well-intended bill with lots of substance in it.

Let us talk. The gentleman there spent 2 or 3 minutes on something about the provisions in the bill dealing with market incentives to pharmaceutical manufacturers. If the gentleman would read the manager's amendment and if the gentleman would vote the first amendment up, all his concerns spent in the first 3½ minutes of that verbal assault will be taken care of like that. That amendment handles it.

It was a legitimate point that the gentleman brought up, but the staff needed to tell him, sir, this is covered in the first amendment if we vote for the first amendment, which I think will pass by a strong majority. It is taken care of. That is why we have that manager's amendment. We want to cleanse this bill to get it out there. But we do not want to delay the bill.

Mr. Speaker, I yield such time as he might consume to the gentleman from Illinois (Mr. HASTERT) who has put a remarkable amount of time into this. We appreciate it very much. The gentleman understands this issue. He understands the significance of it. I think it is important we hear from him for a few minutes.

Mr. HASTERT. Mr. Speaker, I thank the gentleman from Colorado for yielding to me.

Mr. Speaker, certainly what we have before us this evening is the other half of a very important piece. If we are going to look at the totality of drug abuse in this country, we certainly have to look at the supply side where drugs come from, how they come across our borders, but we also have to look at the other issue, and that is the issue of demand, and how do we stop demand in our schools, in our neighborhoods, on our highways, in our prisons. How do we get at that?

The gentleman who is the former chairman of the Committee on Commerce went at great length, and I think he has great concern, but we are trying to solve the problem. As the gentleman would know, this covers across the jurisdictions of six committees.

Have there ever been hearings? Yes. I will tell my colleagues, in the Committee on Government Reform and Oversight, we have had multiple hearings on this issue.

This bill does entail areas and titles that deal with the National Youth Anti-Drug Media Campaign Act. Yes, it is time that we probably ought to authorize something that we have appropriated for. That is the rule, and that is the law, and that probably ought to be done.

We talk about a Drug-Free Workplace Act. That is certainly one of the components that we want to have in this country. We talk about Drug-Free Teenage Drivers Act. We talk about the Drug-Free Prisons and Jails Act, Drug-Free Schools Quality Assurance Act. We talk about Drug-Free National Clearinghouse Act, a Drug-Free Parents Empowerment Act, and go on to Antiaddiction Medication Development Act, and also a Commission on Role of Medication Education in Reducing Substance Abuse.

We all talk about Congressional leadership and community coalitions, and we talk about reduction and rejection of drug legalization that is rampant in this country and certainly moving further and further by some interest groups into our cities and the reorganization of the Federal demand reduction efforts.

Yes, this bill certainly does have a wide jurisdiction. It covers a lot of issues. It covers cross-jurisdictional areas. We have been very pleased to have the chairmen of those committees have input, have their staffs have input, and to work through and make sure the resources are there to get this job done.

But I have to tell my colleagues, the gentleman from Michigan does bring up the exclusivity of drugs. We have taken that out. It is not in the bill. It is not in the manager's amendment and exonerated from there.

I think that the process certainly has worked. We have perked up some of those issues. What we need to do now is move forward and to try to put together a holistic anti-drug program so that we can really have a drug-free America.

What is a drug-free America? There is seven or eight areas that we have to look at. We have treatment. We have to deal with treatment. It is sad that those folks who already have been addicted by drugs need to be able to have the treatment.

It also reduces demand. We need to do the community prevention that the gentleman from Ohio (Mr. PORTMAN) has worked on for years and has been a leader in this Congress in doing prevention and community prevention and school prevention. Years of work.

We also have looked at the whole area of law enforcement. Yes, we need to have better communication between our law enforcement agencies, people working together and communicating together.

We have to do a better job on our borders, and we talked about that in a bill earlier today. We have to do work on areas where these drugs come from.

One of the things that neither this bill or the other bill does but we have to deal with, and it will be coming on the floor of the House because it did go through multiple committees and we hope to have that bill on the floor before it is too late to move it, but it is money laundering.

We would not have people growing coca plants or heroin through poppy plants, we would not have them manufacturing it, we would not have them smuggling it, we would not have them remanufacturing in Colombia and Mexico, we would not have them moving across the border, we would not have them distributing it, all those things cost a lot of money, if they did not get $50 billion or $60 billion off our street corners every year and half; that profit ending up in the pockets of drug lords outside this country.

What would we have to do? The next step, and it is not in these two bills, is money laundering; and we have people working on that as well. But we have to look at the holistic approach.

If we are going to stop drugs and we are going to be serious, instead of blathering about what is not in the bill, if we are going to be serious about stopping drugs in this country, we need to take a holistic approach, we need to do the demand side, which the gentleman from Ohio (Mr. PORTMAN) has done a great job at, but we have to do the supply side as well.

So I commend the Committee on Rules for bringing forth this rule. I commend the gentleman from Ohio (Mr. PORTMAN) and other Members of the task force for putting in hours and days for trying to put a quality piece of legislation together. I certainly hope that we can pass this rule and pass legislation.

Mr. MCINNIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. PORTMAN), a gentleman who has spent a lot of time on this. He is very knowledgeable on this subject, and I think a lot of merit goes to him for the substance he has put together on this bill.

Mr. PORTMAN. Mr. Speaker, I thank my friend from Colorado for yielding to me.

Mr. Speaker, I wish that our colleague, the gentleman from Michigan had stayed around to hear a response to his many concerns on the legislation. But since my friend, the gentleman from Massachusetts is here, maybe he will pass along some specific answers to his questions.

This may give him some comfort, or it may not, because the question is: Are we serious about this drug effort or not? If we are, I think we have got to try to be, not just bipartisan, but nonpartisan, and move forward and do the right thing.

There are six committees of jurisdiction that we talk to on this issue. It would have been impossible, frankly, to go through those six committees and come up with this legislation in this legislative year. We thought it was an important issue, one that needed to come to the floor. We did consult with them extensively.

In fact, the provisions in this bill which are cosponsored by my friend, the gentleman from Wisconsin (Mr. BARRETT), Democrat, and myself are the result of a year-long consultation period, including with the Office of National Drug Control Policy, the drug czar's office.

There are other Democrats who are original cosponsors of the legislation. Committees waived their jurisdiction because, frankly, we solved their problems.

The gentleman from Michigan (Mr. DINGELL) focused on the anti-addiction medication provision, which he found to be inappropriate.

I will say two things about it. Number one, it is not in the legislation because his committee objected to it and instead there is a report, so we took the responsible course there along the lines that he would recommend. I will also say, though, that the National Academy of Sciences and the National Institute on Drug Abuse have both recommended the provision we had in the bill, and I hope that his committee will get busy on that kind of legislation because we do need to give companies more incentives to provide for anti-addiction medication.

With regard to unfunded mandates, the point that he made, I will say that there are no unfunded mandates in this legislation and we have, indeed, checked with the Congressional Budget Office on that. Because the gentleman from Michigan (Mr. DINGELL) said that we had not, I thought it was important to set the record straight on that.

I found it very curious that the gentleman from Michigan (Mr. DINGELL) went on and on about how we need to stick to the Rules of the House and yet complained that in this legislation we are authorizing appropriations. That is what we are supposed to do, and that is why the drug-free media campaign, which is a $195 million expenditure, is being authorized for 4 years so that there is a sustained effort and a commitment by this House to move forward on that very important initiative.

I think that is the right thing to do. It also happens to be within the Rules of the House, and I would think that instead of criticizing us for that and complaining that we are not following the rules, my friend, the gentleman from Michigan, and others on that side of the aisle would be pleased that we are indeed following the rules.

The drug-free workplace language is one example that has gone through this House already. We put it in this legislation because, frankly, we want it to pass not just the House but also the Senate and be enacted into law by signature from the President. We think this is a better place for it. This is a vehicle that probably will go somewhere. So I think that is the responsible thing to do.

I would just end by saying that we brought this legislation up under an open rule and I commend the Committee on Rules and the gentleman from Colorado (Mr. MCINNIS) for doing that so that Members would have an opportunity on the floor if they wanted to bring up any germane amendments to the legislation, and we will see some today, but I would also say that this issue must be addressed.

I do think that this is going to be a nonpartisan exercise in the end, and I think that is the way, again, we must address this issue for the sake of our kids and future generations.

Again, I want to commend the Committee on Rules for bringing this to the floor with an open rule to allow opportunity for amendment and comment.

Mr. MCINNIS. Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, let me just point out that the problems that the gentleman from Michigan (Mr. DINGELL) pointed out, I think, were misrepresented by the Republicans on the other side.

Basically, what the gentleman from Michigan (Mr. DINGELL) was saying, and I agree, is that there is not very much in this bill that is not already the law, and that it is being brought up at this time to try to give the impression during an election year that somehow the Republican majority is doing something significant with regard to this issue with regard to drug addiction.

Secondly, he pointed out that we do have included in this bill a special interest provision which thankfully he caught and now the Republican side is saying that they are going to take out in a subsequent amendment.

Let me say the problem with that is the mischief that we see when a bill like this does not go before the committee, does not see the light of day, does not have the opportunity for public debate and for input from the public. That is when we get these kinds of special interest provisions that thankfully were caught.

What else might be in this bill because it did not go through the regular process? That is the point that he made.

Let me just reiterate again the problem with this special interest provision if it is not taken out and if somehow this body does not approve to take it out, basically what it allows is an extension of this exclusivity for 6 months and what that means is that those who might want to produce these antiaddiction drugs in a generic sense, as a generic drug, would not have the opportunity to do so because of the extension of the exclusivity.

What that means is that these drugs become more expensive, and the big issue before this House with regard to health care in general and certainly with regard to drugs is their affordability. People cannot afford a lot of drugs. They do not have access to them if they cannot afford it.

One of the points we are making is if there was that extension of exclusivity it would not allow generics and others to come in and produce a drug in a way that is less expensive and more available to the public. So this was a special interest provision that was put in there that was anti-consumer, anti-public interest, and I am glad that it is now being taken out.

What other mischief is in there that we have not had an opportunity to look at because of the fact that this did not go through the committee of jurisdiction and did not have an opportunity for hearing? That is the problem. We are not against the bill per se but we are against the way that the Republicans went about this.

□ 1715

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from New Jersey (Mr. PALLONE) surprises me. If the gentleman thinks there is mischief in the bill, he should vote "no." The gentleman says on the one hand there is mischief in the bill, and then says that he is not going to vote against this bill. If what the gentleman is saying is true, he ought to vote against it. He has an obligation to vote against it.

Mr. Speaker, the reason the gentleman is not going to vote against it is because there is not mischief in the bill. The gentleman knows that this bill is a good bill that helps us fight this problem on the streets, and that is the drugs.

Now, as far as the process, and we go back again, the gentleman from Michigan (Mr. DINGELL) earlier, and now the gentleman from New Jersey, are suggesting some type of secret process. Hey, this is our fight. It is a Democrat fight. It is a Republican fight. We are all together on this. Our common enemy here are the illegal drugs on the street.

This is not a battle in secret. The secrets are held by the drug cartels. We are going after them and we want the help of our colleagues on the other side of the aisle, and I hope they support us today and help us in that battle.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield back the balance of my time.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in conclusion, the gentleman from Massachusetts (Mr. MOAKLEY), made a point earlier after my introduction that he was going to vote for the bill, and that is correct. I did not want to imply that he was not.

I understand from sitting in the Committee on Rules and listening to the gentleman from Massachusetts last night, there is no question about his commitment to fight these drugs and to do whatever will effectively fight them, and I want to make sure that is of record.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 538 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4550.

□ 1717

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4550) to provide for programs to facilitate a significant reduction in the incidence and prevalence of substance abuse through reducing the demand for illegal drugs and the inappropriate use of legal drugs, with Mr. SHIMKUS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Illinois (Mr. HASTERT), or his designee, and a Member opposed each will control 30 minutes.

Mr. HASTERT. Mr. Chairman, I designate the gentleman from Ohio (Mr. PORTMAN) to control my time.

Mr. BARRETT of Wisconsin. Mr. Chairman, though I am not opposed to the bill, I ask unanimous consent to control the 30 minutes of general debate time.

The CHAIRMAN. Is there objection of objection to the request of the gentleman from Wisconsin?

There was no objection.

The CHAIRMAN. The gentleman from Ohio (Mr. PORTMAN) is recognized for 30 minutes.

Mr. PORTMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from Illinois (Mr. HASTERT) for allowing me, as his designee, to manage the legislation. The gentleman from Wisconsin (Mr. BARRETT), who is going to control the time on the other side, is my original cosponsor on this legislation, and I want to thank him, particularly after we just saw a little display of something less than nonpartisanship. I guess we would call it partisanship.

Mr. Chairman, I thank the gentleman from Wisconsin for being willing to step up to the plate to address the concerns that we have all heard expressed this afternoon and this evening on the rising problem of illegal drugs in this country and for his willingness, frankly, to show leadership on this issue over the years and to cosponsor this important legislation.

Mr. Chairman, the rising tide of teenage drug use in this country is indeed a national tragedy, and I do not think there is anything this Congress could be doing this week that is more important. The facts speak for themselves,

and we have heard a lot about them today. From the period of 1979 to 1991, we had a 72 percent reduction of teenage drug use in this country. Since that time, teenage drug use has more than doubled.

Actually, it is worse than that in the sense that it is among younger and younger kids. We have a lot of data on that. The number of fourth through sixth graders, kids in elementary school, experimenting with marijuana has increased 71 percent just since 1993.

Today, teenagers say they can obtain drugs within a day. LSD, marijuana, crack cocaine, methamphetamines and other drugs are more available now than ever.

This translates into more addiction, more ruined lives, more lost dreams. And, of course it also leads to more violent crime, more school dropouts, more health problems, and many other quantifiable costs to our society.

But this is not about statistics and numbers. It is about people. It is about people's lives. I am sure each Member in this Chamber knows constituents, maybe a friend, maybe a family member who has fallen into the trap of addiction and suffered the consequences.

Mr. Chairman, shortly after I was elected 5 years ago, a 16-year-old in my district died of a combination of smoking marijuana and huffing gasoline. His name was Jeff Gardner. Jeff's mom came to see me in Washington and she had a very simple question for me: "What are you going to do in my community to help me and other families so that they do not have to go through the pain that I am experiencing?" I told her about the billions we were spending on criminal sanctions, on interdiction efforts that are so important to keep drugs out of the country. She asked me again, "What are you doing in my school? In my neighborhood?"

Mr. Chairman, I have got to say, I was not satisfied with the answer that I could give her. I got involved in this issue both at home through community coalitions and here through legislation in large part because I could not give her the response she deserved.

The real tragedy is that based on sound research, we know what drives increases in drug use. It is not only the availability, but it is the attitude kids have about the dangers of drug use and the extent to which they believe that society, that society has accepted drug use.

Wherever our kids turn for entertainment, TV, movies, music, they find drug use glamorized. And whenever they seek role models, professional athletes, Hollywood stars, musicians, they all too come away with the perception, not accurate, but the perception that drug use is accepted and there is no real consequences.

Even here in Washington, young people have not been hearing a clear, consistent moral message that drugs are dangerous and that they are wrong. I am not trying to suggest that the White House, this Congress, or any national figure can be held responsible for the drug habits of our children. But it is clear that we have not had the kind of sustained national moral leadership on this issue that was critical to the substantial reduction in teenage drug use back in the 1980s.

We have also lost ground on the home front. Surveys show that many parents of the baby boom generation, my generation, approach this issue and approach their kids with great ambivalence. With all of these mixed messages, it should be no surprise to us that teenage drug use is on the rise.

But there is a solution. In fact there are multiple solutions. The gentleman from Florida (Mr. MCCOLLUM), and the gentleman from Illinois (Mr. HASTERT), who spoke just a moment ago, have done a great job today in articulating the need to do more with regard to what is referred to as the "supply side," such as enhanced interdiction, tightening border patrols, and eradicating drugs in source countries.

The bill that we are discussing now, the Drug Demand Reduction Act of 1998, recognizes that restricting supply is important, but it also recognizes that the supply efforts alone can never solve our problems here at home.

Why? Well, first, of course, methamphetamines and other drugs can be produced in someone's basement. Marijuana can be grown in the backyard. But second and more importantly in my view is that as long as the demand is there, drugs, even those from outside our borders, will find their way onto our streets and into our neighborhoods.

While the supply efforts are a very important part of the balanced approach, we as a Congress must do whatever we can to stop the growing demand for drugs. This bill does that. It takes steps toward that by expanding and increasing prevention, education, and treatment.

Mr. Chairman, I believe this is an area where the United States Congress can and must help and play an important role. I think we have three important roles:

First, as we did last year with the Drug-Free Communities Act that we are building on today, we can empower parents, teachers, local law enforcement, local communities, to address the drug problem and give them some of the tools that they need to do so at the grassroots.

Second, Congress can ensure that the existing Federal anti-drug prevention and treatment programs work more effectively by reducing red tape and duplication, targeting funds to programs that really work, finding the best practices around the country and funding those practices.

Finally, I think Congress has a very important role to play in sending that clear and consistent message that drug use is dangerous and wrong. Again, it has worked before. From 1979 to 1991, we saw a 72 percent reduction. We need to look back at that. Why did that happen? We had a clear and consistent national message at that time. The "Just Say No" campaign was not just a slogan; it was a national movement and it included at the grassroots engaging parents, engaging teachers, coaches, law enforcement. That resulted in a substantial reduction of drugs because we changed attitude.

The act before us today is intended to reengage those parents, teenagers, teachers, and employers, law enforcement, health care professionals, and others to make existing Federal programs more effective and more accountable and to send that clear and unequivocal message again on the dangers of drug use.

Among other features, the legislation will: Reinvigorate the parent movement that worked so well in the 1980s through targeted grants, training at work, and access to information that parents need.

It will implement new initiatives to keep drugs out of schools and workplaces.

It will give States incentives to require kids to be drug-free in order to get their driver's licenses. Nothing is more important to a 16-year-old.

It will give parents and other role models one-stop shopping, one national clearinghouse where they can go to get information. One 1-800 number where any parent can call, any drug counselor can call, find out the answer to their question, and be connected with a local anti-drug organization or find substance abuse counselors in that person's area.

As the next step, we require the President's drug czar, the Office of National Drug Control Policy, to recommend to Congress specific ways to eliminate duplication, to further streamline the Federal anti-drug bureaucracy which is currently spread, incidentally, over 54 different agencies and departments.

Finally, at a time when 80 percent of the inmates in our jails and prisons are there because of substance abuse, and 50 percent of State parole and probation violators are under the influence of drugs, alcohol or both when they committed their new offense, this bill will put us on track toward eliminating the drug problem that festers in our jails and prisons. For the sake of our neighborhoods, and for the peace of mind of our constituents, we have to get at the revolving door of substance abuse in our criminal justice system.

Mr. Chairman, the provisions of this bill, as I said earlier, were developed over the past year with the help of the President's drug czar, General Barry

McCaffrey. They were also developed in conjunction with the Speaker's Task Force on a Drug-Free America, chaired by the gentleman from Illinois (Mr. HASTERT). Members on both sides of the aisle had input from the relevant committees, and some people had good ideas who were not on the committees.

Very importantly, we got a lot of input from outside groups, those groups that work in the trenches day in and day out on this issue. That would include CADCA, the Community Anti-Drug Coalitions of America; PRIDE, the Parents's Resource Institute for Drug Education; the Institute for a Drug-Free Workplace; CASA, Joe Califano's Center on Addiction and Substance Abuse; the Drug-Free America Foundation; the Partnership for a Drug-Free America; the National Council on Crime Prevention. These and other groups gave critical input to the legislation and we all owe them a tremendous debt of gratitude.

Mr. Chairman, the Drug Demand Reduction Act is not the end of the road in our effort to reduce the demand for drugs in this country. It is not a cure-all, but it is an important next step building on the Drug-Free Communities Act that this Congress passed, again on a nonpartisan basis last year, to ensure that our national drug control policy continues to focus on what we know works: Effective treatment, effective education, and effective prevention. Doing so at the local level, but doing so with a strong and unequivocal message from the national level.

Mr. Chairman, if we keep the pressure on, if as a country we can maintain our vigilance, I am convinced that we can reverse the troubling trends of teenage drug abuse in this country. We can do so and in doing so we will save lives, we will restore dreams, and we will strengthen our communities for the next century.

Mr. Chairman, I reserve the balance of my time.

Mr. BARRETT of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to express my support for this anti-drug legislation. I would like to thank the gentleman from Ohio (Mr. PORTMAN) for his diligent work on an issue that is critical to the future of our Nation.

Each year drug abuse kills 14,000 Americans and costs taxpayers nearly $70 billion. But beyond these statistics, drug abuse has caused immeasurable pain for millions of Americans of all ages, races, and income levels.

This bill will focus the attention of Americans on this tremendous problem. Whether it is children when they are watching TV, parents when they go to work, or prison inmates when they are a captive audience.

The drug-free prison and jails portion of this bill takes a significant step to reducing crime in our Nation's streets.

□ 1730

The National Center on Addiction and Substance Abuse at Columbia University has reported that approximately 80 percent of the 1.7 million inmates in American prisons and jails were either high on drugs when arrested, stole property to buy drugs, or had a history of drug and alcohol abuse.

Because we know that even inmates who receive severe penalties for their crimes will eventually be released into our communities, we owe it to the people who live in those communities to ensure that these inmates are treated for their addictions when we have the opportunity. A Bureau of Prisons report released earlier this year indicates that Federal inmates who received drug treatment are 73 percent less likely to be arrested in the first 6 months after their release than inmates who did not receive treatment. This bill will create a demonstration program to create and evaluate model programs to test and treat inmate addictions. It is my hope that these programs will then be replicated throughout the Nation. I have sponsored separate legislation with the gentleman from Michigan (Mr. CONYERS) to provide funding to do just that.

Mr. Chairman, I am very pleased this bill includes a component to authorize the National Youth Anti-Drug Media Campaign. We know that young people who reach age 21 without using illegal drugs are unlikely to ever do so. The Media Campaign uses realistic hard-hitting messages to convince young people that drugs are the wrong way to go, and to encourage parents to talk to their children about this critical issue.

I joined the Nation's drug czar, General Barry McCaffrey, in pushing for the creation of this program last year. And since then, the campaign has been running in 12 pilot cities, including the City of Milwaukee in my Congressional District. We are already starting to see the campaign's impact in these cities. And just last month the campaign went nationwide. By the end of the year the Anti-Drug Media Campaign will be running at full force, with at least four advertising exposures reaching targeted audiences every week of the year.

It is important this Congress shows its lasting commitment to keeping kids off drugs by authorizing this program. This bill will support the program through the year 2002.

Through the inclusion of the Drug-Free Workplaces Act in this legislation, the bill will also provide drug-free working environments. This bill will create a demonstration program to make grants to nonprofit organizations that have expertise in this area. These organizations will then work with small businesses to develop comprehensive drug-free workplace programs. Because a majority of adults who use drugs are employed, and small businesses employ a majority of our Nation's work force, the workplace will be a critical battleground in our efforts against drugs.

It is important to note that this bill will require that employees have access to treatment options. We must ensure that drug-free workplace programs allow and actively encourage American workers who have addiction problems to seek treatment. Drug-free workplaces should be focused not on punitive measures, but on helping employees overcome drug addictions.

Mr. Chairman, this bill will not end all drug abuse in America. It is not a Mark McGwire bill or a Sammy Sosa bill. One swing and a home run will not win this game. But this legislation will take steps to de-glamorize drugs in the eyes of young people, to give parents the tools to keep themselves and their children drug free, and to keep drug-addicted prisoners from continuing the cycle of drugs, crime and violence.

While I support efforts to interdict drugs and to strengthen our borders, the real drug war is not being fought only in Colombia, it is not being fought only in Mexico, it is also being fought in the hearts and minds of children in the school yards and the parents at home. We will not drive down drug abuse unless we commit ourselves to a comprehensive approach of prevention, education, treatment and interdiction. We owe it to our constituents to take this comprehensive approach to drug use. I urge my colleagues to pass this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. PORTMAN. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. HASTERT), the chairman of the Speaker's Task Force on a Drug-Free America, and a real leader on this issue both on the supply and the demand side.

Mr. HASTERT. Mr. Chairman, I want to thank the gentleman from Ohio for yielding me this time. I want to take a minute, I will not take long, and talk about the substance of the bill because I think the quality of this bill stands on its own.

I just want to thank the gentleman from Wisconsin, who is cosponsor. He sits with me on a subcommittee of the Committee on Government Reform and Oversight, and we have had hours and hours and hours of hearings on this.

I also want to acknowledge the gentleman from Maryland (Mr. ELIJAH CUMMINGS), who is not here; that gentleman certainly has a passion about what are the problems in his area; the gentleman from Ohio (Mr. ROB PORTMAN), who has done a wonderful job, and the other members, such as the gentleman from Indiana (Mr. MARK SOUDER), and others on our committee who have worked at this not just days and months, but literally years to get something done.

I think we are finally coming to fruition. There are two pieces to this issue, certainly the supply side, but the most important for our communities, so moms and dads and teachers and preachers can get together and get the job done, and that is demand.

I salute all these gentlemen and look forward to voting on this bill.

Mr. PORTMAN. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations, a leader on this issue for many years. We heard from him earlier today on the supply side.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise today in strong support of H.R. 4450, the Drug Demand Reduction Act, and I want to commend the gentleman from Ohio (Mr. PORTMAN) for his extensive work in preparing this measure, authoring it, and offering it today for our consideration.

The threat posed by illegal drugs is one of the most critical national security threats confronting our Nation, and this is not mere rhetoric but the cold truth. The vast majority of illegal drugs in this Nation comes from overseas, and the sooner we recognize that drugs are as much a foreign as domestic problem, the more effective our response will be.

There are many who say we, as a Nation, spend too much on combating drugs. I argue that those critics ignore the true cost of drug use on our society. In addition to the cost of supply and demand reduction, drug use costs billions each year in health care costs, lost productivity. Drug use also has intangible costs in terms of broken families and destroyed lives, many of them young lives.

As chairman of our House Committee on International Relations, I have long been dedicated to fighting the scourge of illegal drugs. Regrettably, currently this is a battle which we as a Nation have been losing. Too many of our young people are following the seductive message advocating drug use only to find out too late that message leads to a future devoid of hope. Yes, drugs are not recreational and drugs are deadly.

During the 1980s we made remarkable progress in reducing illegal drug use, eliminating the perception that drugs and drug abuse were socially acceptable. Between 1979 and 1992, there was a 50 percent drop in "past month" drug users from over 25 million to just over 12 million. Our focus during that period was twofold and followed a dual-track of reducing both supply and demand.

Regrettably, the current administration abandoned that approach and focused on reducing demand. The result has been a sharp increase in the supply of drugs, the highest purity levels ever encountered, and a resurgence of teenage drug use. From 1992 to 1996, teenage marijuana use doubled. More distressing is the data showing a significant rise in heroin use among our teenage population.

In essence, this administration's policy of focusing on demand reduction is being overwhelmed by the current state of the drug market. And with many of our cities literally awash in heroin, the drug dealers are using supply to create demand.

In order to effectively combat the problem of illegal drug use, we are going to have to employ a balanced approach of reducing supply and reducing demand and doing it simultaneously. It also requires efforts from all levels of government and society.

H.R. 4450 addresses the demand side of the drug equation by establishing several very important programs designed to reduce drug usage by children and adolescents. It does this through promoting anti-drug, anti-addiction medications, renewing a national anti-drug message using key public figures, and providing parents with additional resources to combat drug usage in their communities through organizations created for that purpose.

The third component is the most important part of this bill. Everyone knows the vital role parents play in instilling a sense of morals and values in their children. Government cannot solve the drug problem by itself. We need to return to the formula which worked in the 1980s, aggressive interdiction efforts at our borders and abroad, and a visible national "zero-tolerance" message here at home.

Accordingly, Mr. Chairman, I urge my colleagues to support this worthy legislation. For too long we have had a disjointed approach to combating illegal drug use. If we as a Nation are willing to reduce the use of tobacco, certainly we can do the same for the use of illegal drugs.

This bill provides significant assistance in reducing demand by targeting an Anti-Media Campaign, by a Drug-Free Workplace program, by a Drug-Free Teenage Drivers Act, by a Drug-Free Prisons and Drug-Free Jails Act, by a Drug-Free Schools Quality Assurance Act, by a Drug-Free Information Clearinghouse Act, and by a Drug-Free Parent Empowerment program. Excellent ideas and excellent programs. Certainly by working on all of these, along with supply reduction, we can win this war against drugs.

Mr. PORTMAN. Mr. Chairman, I yield 3½ minutes to the gentleman from Indiana (Mr. SOUDER), a good friend and expert on this issue who handles the drug-free schools part of this for the Speaker's Task Force on a Drug-Free America so well.

Mr. SOUDER. Mr. Chairman, I want to thank the gentleman from Ohio for his leadership, as well as the Speaker, who by putting this at the top of his agenda and our Republican agenda, has forced us and enabled us to work in multiple different ways.

I also want to pay tribute to former Congressman and chairman of the Committee on National Security, Mr. Bill Zeliff, who when the Republicans took over Congress, began these hearings 4 years ago, of which we have had over 30 in that subcommittee and have worked to follow up many years of effort of the gentleman from New York (Mr. GILMAN), when he was with the Narcotics Select Committee. This is not something that just popped up in an election year. Many of us have been working for years and years.

I want to illustrate, too, it is not just in this bill. Earlier we had the impression that, well, this is a few last-minute things thrown together. But, in fact, I have been working over in the higher education bill where we have a major breakthrough in student loans, where we are going to hold students accountable. If they are found guilty of using drugs, they can lose their loan for 1 year. They can get back by testing free during two drug tests. But then if they have a second drug offense, they lose it for 2 years. The third time and they are out. This is a major breakthrough.

We also have in that bill awards, where we have worked with the gentleman from Massachusetts (Mr. JOE KENNEDY), to establish some awards for colleges that have drug and alcohol abuse programs that are national models.

We have had several bills in the Committee on Education and the Workforce where we have included anti-drug education as one of the things that we need to do with parents. As the Speaker said, this needs to be a full court press everywhere, and we are trying to do that in prevention and treatment efforts.

In juvenile justice, as we heard in yesterday's debate, where we had accountability and prevention programs, the appropriations subcommittee chairman, the gentleman from Kentucky (Mr. ROGERS), included additional money for drug courts, a very creative effort to work with these different youth.

The gentleman from Ohio (Mr. PORTMAN) had one of the most creative initiatives, which we just this past week have had the first grants for community-wide drug efforts, and we worked that through different committees.

There was a reference earlier today, that we had not had hearings. There is a section in this bill, drug-free workplace, which is one of the largest sections. I know the subcommittee I chair is a small committee, it is called empowerment, it is dealing with people who do not have much power and how we can address these things. It is part of the Committee on Small Business

that tends to get run over by some of the bigger committees, but the fact is we had a hearing, and we passed it through. The committee came in front of the House, but it is deadlocked in the Senate. And the only way to move that bill is to put it inside this bill. But just because we are not the Energy and Commerce Committee does not mean we did not have hearings.

We also have a provision in here for the Safe and Drug-Free Schools Act, an award that deals with schools. Now, that authorization is not up. We have the money in the Labor-HHS. I have one perfecting amendment later in this that we have worked with the gentleman from Pennsylvania (Mr. GOODLING), but it is an interim step. Clearly, we are in the process of revising and need to work with the major reauthorization.

The point here is that we are working for a comprehensive effort. I commend the gentleman's leadership. This bill also deals with the media, which is an important thing, which we have heard from the impact of Hollywood and the impact of the music industry, and I am proud to be associated with this. This is only part of a much larger effort but a part that if we did not put it here, it was not going to move.

Mr. PORTMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT), a good friend who has also been involved in the task force.

□ 1745

Mr. BLUNT. Mr. Chairman, I want to thank the gentleman from Ohio for his leadership in this critically important bill. Earlier today we addressed the other side of this problem, the supply side of this problem. The truth is if we were able to do everything we wanted to do in sealing our international borders, we would still have a drug problem. The truth is that the methamphetamine problem, the other domestic drug supply problem, is so great that no matter how effective a job we do on the important work we committed ourselves earlier today, we have to deal with this issue of demand. This is a great follow-up on the Drug-Free Communities Act that was passed last year. I was glad to hear our friend the gentleman from Indiana (Mr. SOUDER) mention that many of the things in this bill are things that we have given some funding to but have not fully authorized. And other things in this bill are items that have had hearings and have passed the House but have not gone further. We need to take all of those things and put them in such a powerful package that they can no longer resist becoming part of an overall effort to help parents, to help communities, to help schools in the fight against this problem.

This is a problem that Americans pay a dramatic price for every single day. This kind of approach to the demand side from a media campaign to schoolhouses, to parental involvement, is the kind of approach it takes to make that difference. This is the kind of commitment this Congress needs to make. It is the kind of commitment we need to direct the Federal Government to make, and it is the kind of commitment the country needs to understand how broad and how deep the commitment has to go. I believe this legislation does that. I am proud to be part of it and certainly proud to really recommend it to my colleagues and encourage the great efforts of the gentleman from Ohio (Mr. PORTMAN) here.

Mr. PORTMAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. GRANGER), another active member of the task force who also happens to have been the mayor of a major city in America and has seen these problems firsthand.

Ms. GRANGER. Mr. Chairman, I rise today in strong support of the Drug Demand Reduction Act of 1998. This common sense proposal has an uncommon approach to the battle against drugs. In the past we have focused our attention on stopping the supply of drugs but this legislation would reduce the demand for drugs. How does it work? It works by providing incentives to States to encourage teenagers to be drug-free before getting their driver's license. Who does it help? It helps parents by creating an 800 number that parents can call to learn about how to talk to their children about drugs. Why is it needed? Because approximately 80 percent of all crimes committed in this country are drug-related. And why will it work? Because we are empowering local communities to deal with their local drug problems in their own local way.

When I was mayor of Fort Worth we mapped out a strategy for fighting drugs that worked in Fort Worth. But it might not work in Fort Wayne or Front Royal. Each community is different and each situation is distinct. The great thing about this bill is that it gives each community enough support to carry out the war on drugs but enough flexibility to fight their own battles in their own way.

As I close, I remind my colleagues that Henry Kissinger once said of guerilla war, "Your enemy wins if he does not lose." For too long we have been losing the war on drugs simply and only because we have not had the courage to win it. By attacking both the supply and demand side of this issue and by giving local officials the tools they need, we can win the war on drugs for our community, for our children and also for our future.

Mr. PORTMAN. Mr. Chairman, I yield 2 minutes to the gentleman from New Hampshire (Mr. BASS).

Mr. BASS. Mr. Chairman, I want to commend my distinguished colleague from Ohio, a fellow Dartmouth alumnus, who has had the foresight to bring forward a bill that is as important and good as this one. I represent a rural New Hampshire district, but drugs are a problem there just as much as they are in any other district around the country.

I have a story here, just a couple of weeks ago from New Hampshire: Heroin, A Deadly Problem Statewide. We all share the same problems with drug abuse. As the father of a 7-year-old who has just entered the second grade at the Peterborough Elementary School and a son who is 4, it is shocking for me to understand now that children are first exposed to drugs and drug information when they enter the fourth grade.

As the father of two children, I am particularly interested in the provision of the bill that provides for $10 million in each fiscal year after 1995 for community-based parent organizations to get grant money to help provide parent training for individuals. Mr. Chairman, parents are in denial in many instances as to the problems that their children face.

As a Member of Congress in this last term, I have been able to offer at least two major conferences involving many members of communities with bringing parents in to teach them how to deal with drugs in their families and in their homes. I am hopeful that this particular provision, which is of great importance to me, will prevail, because parents just as much as children need to understand the problems of drug abuse, how to communicate with their children and how to keep their children off drugs. I strongly commend the individuals who have worked on this bill. I am proud to be a cosponsor. I rise in strong support of its passage.

Mr. PORTMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman for yielding time. I guess my message is, Drug dealers, while the economy is good, while there are jobs out there, you better start looking for another job, because here comes some aggressive legislation that is going to be serious about the war on drugs. These bills that we are passing today are going to be the beginning of a serious effort to get rid of a serious problem in this Nation.

I have been holding drug forums across my district in Charlotte, in Battle Creek, in Jackson, in Adrian, in Hillsdale and Branch counties. What has impressed me the most is that if communities get involved, if parents start taking action, then it happens. We cannot do it just here in Washington, D.C., and that is why the Drug-Free Communities Act, that is why this kind of legislation that starts empowering local communities and parents makes a huge difference.

Just a couple of statistics. If a youngster does not use drugs before they are 19 years old, then there is a 90 percent chance that they will never have a drug problem. If parents talk to their kids about the dangers of using drugs, then you reduce the chances of those kids ever having a drug problem by 33 percent. Parents might think they are talking to their kids but when you ask those kids, only one-third of those kids say their parents talk to them seriously about the problems of using drugs.

I met a father at one of my drug forums. He said, "My son was an athlete. He was on the starting line-up for the football team. He was getting A's. Then he got into drugs. Now, he is not in sports. He is moping around, doing bad in everything to do with school."

Drugs and alcohol are a major cause of crime, they are a major cause of a student not learning to their full potential. Parents and communities, just do it, get involved. This kind of legislation does it.

Mr. PORTMAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON), my distinguished colleague and friend on the Committee on Ways and Means.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in strong support of this legislation, because it takes concrete, practical steps that will help us reduce the demand for drugs in our country. It will better fund the antidrug message being televised in 12 pilot cities across the country. And it provides funds to parent groups and other community-based groups to provide parent training on how to deal with drugs not only in their homes but also in their communities. If we are going to win the battle against drugs, we must involve parents, businesses, whole communities in the antidrug effort. And we must better understand, be more honest, be dead honest about the nature of addiction and the importance of treatment. Admitting that you have an addiction problem is the first and hardest step to overcoming chemical dependency. We should ensure that those who take this tough step have access to the resources they need to meet their goal successfully. That is why I also support the amendment that the gentleman from Minnesota (Mr. RAMSTAD) plans to offer to this bill.

Since 1956, the AMA has recognized alcoholism and drug addiction as diseases. Some 26 million, or 10 percent of the population, suffer from these diseases. According to the Bureau of Labor Statistics, in 1995 roughly 80 percent of American workers' health plans covered a minimum level of treatment for addiction. More than 70 percent of those using illicit drugs and 75 percent of alcoholics are employed.

Substance abuse treatment saves health care dollars. It saves lives. It strengthens our work force. Companies that provide treatment have already achieved savings. Chevron reports saving $10 for every $1 spent on treatment.

Mr. Chairman, I strongly support this bill and I urge Members' support of the Ramstad amendment.

Mr. PORTMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. LEWIS) another member of the task force who has started a successful antidrug coalition in his own area.

The CHAIRMAN. The Chair would advise that the gentleman from Ohio (Mr. PORTMAN) has 1 minute remaining.

Mr. PORTMAN. Mr. Chairman, I would like to indulge my colleague and cosponsor and see if perhaps we could get an additional 2 minutes on this side.

Mr. BARRETT of Wisconsin. I would agree to a unanimous consent for an additional 2 minutes on each side.

The CHAIRMAN. Without objection, the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Wisconsin (Mr. BARRETT) each will control 2 additional minutes.

There was no objection.

Mr. LEWIS of Kentucky. Mr. Chairman, I rise today to express my support for the Drug Demand Reduction Act of 1998. Shortly after the Speaker established his Task Force for a Drug-Free America, we drafted an aggressive legislative agenda to win the war on drugs. To reach our goal of a drug-free America by 2002, we need to fight this battle on three fronts: Stopping the supply, increasing accountability and deterring demand. H.R. 4550 helps in ending the demand for drugs in our communities. It will fight that battle in the school yard, workplace and the prisons.

Last year, I started the Heartland Anti-Drug Coalition. Our mission is to bring together the grassroots antidrug organizations in my district so we can combine our efforts and resources to educate our youth about the dangers of drugs. Just as the Heartland Coalition has been successful in creating a unified effort to keep our children drug-free, H.R. 4550 will end the demand for drugs by combining many existing efforts. Specifically H.R. 4550 establishes an aggressive antidrug media campaign and assists organizations that provide the necessary tools for parents to help keep their children drug-free. The bill also consolidates information clearinghouses to provide a single source of information on fighting drug abuse. Earlier today we passed legislation to increase our efforts to prevent the entry of illegal drugs into the U.S. Now, let us take another important step to win the war on drugs by passing H.R. 4550.

Mr. BARRETT of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. LEVIN) who has been a real fighter on our side of the aisle and I think in the entire House on this issue.

Mr. LEVIN. Mr. Chairman, to the gentleman from Wisconsin (Mr. BARRETT) and to the gentleman from Ohio (Mr. PORTMAN) who with others including myself have taken a leading advocacy position on this issue, I congratulate all of them. This is a fight worth fighting. This is a fight we cannot lose. This fight against drug use is in danger of spreading to parts of the Nation which have not fully seen this, though in a sense every sector has seen it. There has been a denial on the part of many people that the problem exists. Hopefully this bill will be another step to take away that denial and to realize that this is a national problem that requires national action. Most of the work is going to have to be done in our communities, but surely we can lead.

The most recent surveys indicate the depth of the problem that the use of some hard drugs is increasing. There is much misunderstanding within our country about marijuana use. There is more and more evidence that it is harmful. This bill draws on elements of the national strategy document put together by General McCaffrey. I have had the privilege of working with him on a number of drug issues, and I am proud to stand by his side. The record has not been perfect, but it has been a record of action.

□ 1800

This bill enhances elements of programs that were started before. One is the National Youth Anti-drug Media Campaign. I had the privilege of helping to launch it in my home district with the help of K-Mart. We had a number of youths there, and it was encouraging to have them stand up and talk about the dangers of drugs and to talk about the need for us to meet head on this problem with the youth of America.

I saw the ads. I believe they are effective ones. The youth who were there thought they were effective, some more than others. But I remember them dramatically, I remember the reaction dramatically, and this bill will help us use the power of the media to give a clear message to kids and to ask them for their support.

This bill also addresses the problem of drug abuse in our prisons. We need to address that. We need to make sure that people who go into prison in so many cases with a drug problem, when they leave, if they do, that their drug problem has been addressed.

This bill also includes reference to a resolution regarding community antidrug coalitions. The gentleman from Ohio (Mr. PORTMAN) and I have been privileged to represent two districts that have been used as models; in the case of Cincinnati, a comprehensive program that the gentleman from Ohio (Mr. PORTMAN) has helped to spark. In the case of the 12th District, it is a different model, of efforts from the grass

roots up, and our office and our staff have tried to facilitate those coalitions.

And I say this without any hesitation: All of the Members of this Congress should get involved in anti-drug coalitions in their community. Our staff goes to meetings of every one of those anti-drug coalitions, and I am proud to have been associated with all of these efforts.

So, in a word, this bill is one not only worth supporting, it is worth advocating, and it is worth implementing. It is worth our personnel commitment to take a piece of legislation, take it back home and help make it work, and there is no greater responsibility.

The world has changed since my generation went to school. We did not know these problems. We have no choice but for this generation, for my grandchildren's generation, that we help America address this problem. As I said before, this is a fight worth fighting, this is a fight that we must win. Let us vote for this bill and then help to implement it.

Mr. BARRETT of Nebraska. Mr. Chairman, I yield myself such time as I may consume.

In closing on this side, Mr. Chairman, I simply want to say that I think this is a bill that does some good things. For me, the most important part of this legislation is allowing us to have a new program in prisons so that we can treat prisoners before they get out on the streets. It does a very good job as well in creating incentives for drug-free workplaces, and I think it is extremely important for us to authorize the media campaign that is currently going on.

For those reasons, I would again ask my colleagues to support this bill.

Mr. Chairman, I yield back the balance of my time.

Mr. PORTMAN. Mr. Chairman, I yield myself such time as I may consume.

I would like to in closing again thank my friend from Wisconsin (Mr. BARRETT) for being willing to cosponsor the legislation, help improve the legislation and get it to the floor today. I also want to thank the gentleman from Michigan (Mr. LEVIN) for the work he has done in the Drug-free Communities Act and in implementing that legislation. As he indicated, that sometimes is the most important thing we do here is being sure that we can back home and make sure this legislation actually works.

Let us take a step back for a moment, if we could, and reflect on what we are doing here this evening. And I think Bill Bennett wrote very articulately about the problem of substance abuse, and I would like to quote from him, former drug czar Bill Bennett. He said:

Using drugs is wrong not simply because drugs create medical problems, it is wrong because drugs destroy one's moral sense. People addicted to drugs neglect their duties, they want to neglect God, family, children, friends and jobs, everything in life that is important, noble, and worthwhile, for the sake of drugs.

As a parent and as a colleague, I would urge all the Members of this House to support this nonpartisan legislation that really will make a difference in terms of taking commonsense steps to rid our society of the devastating impact of illegal drugs.

Mr. PACKARD. Mr. Chairman, I rise today in support of H.R. 4550, The Drug Demand Reduction Act. Out nation's children are our most precious resource and we must protect them from the negative effects of illegal drugs.

Mr. Chairman, the sad truth is, 50% of state parole and probation violators are under the influence of drugs, alcohol or both when they commit new offenses. This is unacceptable! The Drug Demand Reduction Act will take steps to reduce drug abuse in prisons and increase the effectiveness of drug treatment programs. H.R. 4550 is a step in the right direction. We can not waste more time or more young lives on ineffective drug programs.

The issue of drug abuse can not be stopped from Washington, D.C. alone. It is critical that we involve communities. Parents know best what their children's needs are—not bureaucrats in Washington. The Drug Demand Reduction Act will empower parents, teachers, and communities to address the increased concern of teenage substance abuse. This legislation will go right to the heart of the drug problem by reducing the demand for drugs through prevention, education and treatment at the local level.

Drugs not only burn the minds of those who use them, but they also scorch the lives of the abuser's families and loved ones. Mr. Speaker, I rise to support H.R. 4550, and protect our nation's children and families. We must put a stop to the use of these life destroying substances.

Mr. WAXMAN. Mr. Chairman, whatever its merits, the consideration of this bill at this time constitutes a gross dereliction of the care and due diligence this House owes to the consideration of our laws.

The bill was introduced on Friday. It was referred to six committees for hearings and deliberations. But here it is, after just three working days, up for a vote by the full House.

This bill is badly in need of scrutiny by the committees of jurisdiction. Let me give you an example of a very troubling, coercive provision. The Teen Drivers incentive program is intended to promote the voluntary drug testing of applicants for drivers licenses.

But there is nothing voluntary about having to choose between taking the test or having the State inform your insurance company that you've refused to take the test. There is no question the insurance company will raise the rates on anyone—whether an adult or minor, drug user or drug-free citizen—who refuses to take a drug test.

This is fundamental question of civil liberties. There are ample and leigitmate reasons why a citizen with no history of illicit drug use and who constitutes no threat to public safety, might wish to decline a drug test.

If this provision were stricken, the States would still be free to develop model programs, with or without a notification requirements. If a State desires such a requirement, so be it. But we in Congress should not dictate the approach taken by the several States in such a sensitive and vital area of civil liberties and personal privacy. We should allow the States to develop programs without dictating only one model designees in Washington as if one size fits all.

Mr. Chairman, I also want to give another example of why this bill should be sent back to the committees of jurisdiction, consistent with the regular order.

The original Title II of his bill was a multi-billion dollar boondoggle. Any company which developed a new anti-addiction drug would receive an additional 6 months of market exclusivity on any drug of its choice.

That is an unbelievable gift to the drug industry. I can understand wanting to provide modest incentives for a worthy cause. But H.R. 4550 would have sucked literally billions of dollars out of the pockets of American consumers and taxpayers. It would have given a blank check to the drug industry.

At the last minute, Title II was changed by a manager's amendment. A study was substituted—a study, I might note, that duplicates two studies which are already done. Was the provision struck because people caught it in time and threatened to expose it for the boondoggle it was? I don't know. But I do know this is the wrong way to develop legislation.

I support the War on Drugs and I support programs which end illicit drug use. But I cannot support legislation developed in this manner.

Mrs. MORELLA. Mr. Chairman, I rise in strong support of the Ramstad amendment which would prohibit group and individual health plans from imposing treatment limitations or financial requirements on the coverage of alcohol and substance abuse benefits if similar limitations or requirements are not imposed on medical and surgical benefits. I am pleased to be an original cosponsor of this legislation which creates a level playing field for the provision of alcohol and drug treatment services.

Alcohol and substance abuse are diseases just like cancer, diabetes, and heart disease, and alcohol and substance abuse can be effectively diagnosed and treated. Alcohol and drug treatment reduces health, criminal justice, and welfare costs. For example, data for the Center for Substance Abuse Treatment's (CSAT) Pregnant and Postpartum Women and Infant's programs in 1996 found that after treatment 67.4% of women were not using drugs or alcohol, 90.3% of women were not involved with the criminal justice system, 86.5% of children were living with their mothers, and employment of women increased by 820%.

Unfortunately, unlike other medical conditions, health coverage discrimination against alcohol and substance abuse treatment services is widespread. Currently, just 2% of the 16 million alcoholics and substance abusers covered by health insurance plans are actually receiving treatment, notwithstanding the purported "coverage" of chemical dependency

treatment by the plans. This important legislation would provide for nondiscriminatory coverage for alcohol and substance abuse treatment services under private group and individual health plans. It would not require insurers to offer a standard benefit; it would instead establish parity coverage for those plans that offer substance abuse treatment coverage.

I urge my colleagues to support the Ramstad amendment. Let us take this important step to improve health insurance coverage for alcohol and drug treatment.

Mr. PORTMAN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule for 3 hours.

Before consideration of any other amendment, it shall be in order to consider the amendment printed in House Report 105–721 if offered by a Member designated in the report. That amendment shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

After disposition of the amendment, the provisions as then perfected shall be considered as original text for the purpose of further amendment and, without objection, considered as read.

There was no objection.

The CHAIRMAN. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote provided that the time for voting on the first question shall be a minimum of 15 minutes.

AMENDMENT OFFERED BY MR. PORTMAN

Mr. PORTMAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment printed in House Report 105–721 offered by Mr. PORTMAN:

Page 10, line 9, insert "treatment," after "referral,".

Page 11, strike line 6 and all that follows through page 14, line 2, and insert the following:

Subtitle C—Drug-Free Teen Drivers

SEC. 121. SHORT TITLE.

This subtitle may be cited as the "Drug Free Teenage Drivers Act".

SEC. 122. MODEL PROGRAM.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall establish a model program to provide for the voluntary drug testing of all teenage applicants for a driver's license and, if a State adopting the model program elects, other first time applicants for a driver's license regardless of age.

(b) MINIMUM ELEMENTS.—The model program established under this section shall provide, at a minimum—

(1) that information respecting an applicant's choice not to take a drug test under the program or the result of a drug test on the applicant will be made available to the applicant's automobile insurance company, if any, or the parent of a teenage applicant, or both, as determined by a State that adopts the program; and

(2) if an applicant tests positive in the drug test, the State will not issue a license to the applicant and will require the applicant to complete a drug treatment program approved by the State and not test positive in a drug test before reapplying for a license.

(c) ADOPTION BY STATES.—The States may adopt and implement the model program established under this section. If a State adopts the model program, the State shall in carrying out subsection (b)(2) provide the treatment described in such subsection to low-income individuals who apply for drivers' licenses.

SEC. 123. INCENTIVE GRANT PROGRAM.

(a) IN GENERAL.—The Secretary of Transportation shall establish an incentive grant program to assist States in improving their laws relating to controlled substances and driving.

(b) GRANT REQUIREMENTS.—To qualify for a grant under subsection (a), a State shall meet each of the following requirements:

(1) Enact, actively enforce, and publicize a law that makes unlawful throughout the State the operation of a motor vehicle if the driver has any measurable amount of an illegal controlled substance in the driver's body. Individuals who are convicted of a violation of such law shall be referred to appropriate services, including intervention, counseling, and treatment.

(2) Enact, actively enforce, and publicize a law that makes unlawful throughout the State the operation of a motor vehicle if the ability of the driver to operate the vehicle is impaired by an illegal controlled substance. The State shall provide that in the enforcement of such law the driver shall be tested for the presence of an illegal controlled substance when there is evidence of impaired driving. Individuals who are convicted of a violation of such law shall have their driver's license suspended and shall be referred to appropriate services, including intervention, counseling, and treatment.

(3) Enact, actively enforce, and publicize a law that requires the suspension of the driver's license of an individual who is convicted of any criminal offense relating to drugs.

(4) Enact a law that provides that individuals applying for, and individuals renewing, a driver's license will be provided information about the laws referred to in paragraphs (1), (2), and (3) and will be required to answer drug-related questions on their applications.

(c) USE.—A State may use a grant under subsection (a) only to implement, enforce, and publicize laws described in subsection (b).

(d) GRANT AMOUNTS.—The amount of a grant made to a State under this section in a fiscal year shall be determined by multiplying the total amount of funds made available to carry out this section for such fiscal year by the ratio of the amount of funds made available to the State under section 402 of title 23, United States Code, for such fiscal year to the aggregate amount of funds made available to carry out such section 402 for such fiscal year to all States to which grants will be made under this section in such fiscal year.

(e) DEFINITIONS.—In this section, the following definitions apply:

(1) CONTROLLED SUBSTANCES.—The term "controlled substances" has the meaning given such term in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)).

(2) ILLEGAL CONTROLLED SUBSTANCE.—The term "illegal controlled substance" means a controlled substance for which an individual does not have a legal written prescription.

SEC. 124. TECHNICAL ASSISTANCE.

The Secretary of Transportation shall provide to the States technical assistance for—

(1) training law enforcement officers in the standardized field sobriety testing techniques to detect impaired drivers;

(2) expanding drug information and training by involving prosecutors in community drugged driving prevention programs; and

(3) promoting uniform sanctions for drugged driving offenses, referring drugged driving offenders to assessment and treatment programs, and involving judges in community drugged driving prevention programs.

SEC. 125. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this subtitle for fiscal years 1999 and 2000.

Page 30, strike line 19 and all that follows through page 36, line 15, and insert the following:

SEC. 203. REPORT REGARDING INCENTIVES FOR DEVELOPMENT OF ANTIADDICTION DRUGS.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the "Secretary"), in collaboration with the officials specified in subsection (b), shall conduct a study for the purpose of determining whether there is a need to establish particularized incentives for the development of drugs to treat dependence on alcohol or on any controlled substance as defined in section 102 of the Controlled Substances Act (referred to in this section as "qualifying antiaddiction drugs").

(b) COLLABORATION AMONG AGENCIES.—For purposes of subsection (a), the officials specified in this subsection are as follows:

(1) The Commissioner of Food and Drugs.

(2) The Director of the National Institute on Alcohol Abuse and Alcoholism.

(3) The Director of the National Institute on Drug Abuse.

(4) The Director of the National Institute of Mental Health.

(5) The Administrator of the Substance Abuse and Mental Health Services Administration.

(c) CERTAIN ELEMENTS OF STUDY.—If in conducting the study under subsection (a) the Secretary determines that there is a need to establish particularized incentives for the development of qualifying antiaddiction drugs, the Secretary shall determine whether the incentives should include one or both of the following:

(1) Providing for increased cooperation among the agencies referred to in subsection (b) in order to facilitate the development and approval of such drugs.

(2) Establishing under the Federal Food, Drug, and Cosmetic Act particularized financial incentives for the development of such drugs.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the

Secretary shall complete the study required in subsection (a) and submit to the Committee on Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the findings made in the study.

Page 40, line 24, strike "the presence" and all that follows through line 25 and insert "the presence of six of the members appointed under subsection (c)(2).".

The CHAIRMAN. Pursuant to House Resolution 538, the gentleman from Ohio (Mr. PORTMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Chairman, as we discussed earlier, the manager's amendment made in order by the rule provides for some technical and clarifying amendments and accommodates the concerns of two of the committees that have jurisdiction over aspects of this legislation. In the drug-free workplace provision, the amendment makes clear that an employee assistance program should offer access to treatment for employees.

The Committee on Transportation and Infrastructure staff provided a substitute for our drug-free teen drivers provision in the bill that clarifies the organization of the program established under the legislation and provides an explicit authorization for appropriations under that part of the legislation.

The Committee on Commerce had requested that we replace the incentive for the development of anti-addiction medication, an issue that came up earlier in our debate, and we have indeed replaced the legislation that we had with regard to anti-addiction medication with a study for the need for such incentives. The amendment, therefore, grants their request.

Finally, the amendment sets the quorum for meetings of the Commission on Medical Education that is in the legislation so that the meetings of the Commission can take place without any concern of not having a quorum present.

Those, Mr. Chairman, are the changes in this manager's amendment. They are straightforward, they are technical and clarifying in nature, and I would hope that my colleagues would support them.

Mr. Chairman, I reserve the balance of my time.

Mr. BARRETT of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, very briefly, and I will not use the whole 5 minutes, I think that this is a good amendment, it addresses some of the concerns that have been raised, in particular the one pertaining to the anti-addiction medications, and for that reason I support it.

Also I should note that it also makes clear that treatment is an option in the drug-free workplace program.

Mr. Chairman, I yield back the balance of my time.

Mr. PORTMAN. Mr. Chairman, I yield myself such time as I may consume. Again I want to thank my colleague for helping perfect this legislation, and that includes this manager's amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. PORTMAN).

The amendment was agreed to.

The text of H.R. 4550, as amended by the amendment printed in House Report 105-721, is as follows:

H.R. 4550

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Drug Demand Reduction Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—TARGETED SUBSTANCE ABUSE PREVENTION AND TREATMENT PROGRAMS

Subtitle A—National Youth Anti-Drug Media Campaign

Sec. 101. Short title.
Sec. 102. Requirement to conduct national media campaign.
Sec. 103. Use of funds.
Sec. 104. Reports to Congress.
Sec. 105. Authorization of appropriations.

Subtitle B—Drug-Free Workplace Act

Sec. 111. Short title.
Sec. 112. Findings; purposes.
Sec. 113. Sense of Congress.
Sec. 114. Drug-free workplace demonstration program.
Sec. 115. Small business development centers.
Sec. 116. Contract authority.

Subtitle C—Drug-Free Teen Drivers

Sec. 121. Short title.
Sec. 122. Demonstration program.
Sec. 123. Incentive grant program.
Sec. 124. Technical assistance.

Subtitle D—Drug-Free Prisons and Jails

Sec. 131. Short title.
Sec. 132. Purpose.
Sec. 133. Program authorization.
Sec. 134. Grant application.
Sec. 135. Uses of funds.
Sec. 136. Evaluation and recommendation report to Congress.
Sec. 137. Definitions.
Sec. 138. Authorization of appropriations.

Subtitle E—Drug-Free Schools Quality Assurance

Sec. 151. Short title.
Sec. 152. Amendment to Safe and Drug-Free Schools and Communities Act.

Subtitle F—Drug-Free National Clearinghouse

Sec. 161. Short title.
Sec. 162. Establishment of clearinghouse; functions.
Sec. 163. Director.
Sec. 164. Cooperation by national drug control program agencies.

Subtitle G—Drug-Free Parents Empowerment

Sec. 171. Short title.
Sec. 172. Drug-free parents empowerment.

TITLE II—PRIVATE SECTOR ANTI-DRUG PARTNERSHIPS

Subtitle A—Antiaddiction Medications

Sec. 201. Short title.
Sec. 202. Facilitation of approval for commercial distribution of antiaddiction drugs developed by National Institute of Drug Abuse.
Sec. 203. Incentives for development of qualifying antiaddiction drugs.

Subtitle B—Commission on Role of Medication Education in Reducing Substance Abuse

Sec. 211. National Commission on the Role of Medical Education in Reducing Substance Abuse.

TITLE III—STATEMENT OF NATIONAL ANTIDRUG POLICY

Subtitle A—Congressional Leadership in Community Coalitions

Sec. 301. Sense of Congress.

Subtitle B—Rejection of Legalization of Drugs

Sec. 311. Sense of Congress.

Subtitle C—Report on Streamlining Federal Prevention and Treatment Efforts

Sec. 321. Report on streamlining Federal prevention and treatment efforts.

TITLE I—TARGETED SUBSTANCE ABUSE PREVENTION AND TREATMENT PROGRAMS

Subtitle A—National Youth Anti-Drug Media Campaign

SEC. 101. SHORT TITLE.

This subtitle may be cited as the "Drug-Free Media Campaign Act of 1998".

SEC. 102. REQUIREMENT TO CONDUCT NATIONAL MEDIA CAMPAIGN.

(a) IN GENERAL.—The Director of the Office of National Drug Control Policy (in this subtitle referred to as the "Director") shall conduct a national media campaign for the purpose of reducing and preventing drug abuse among young people in the United States.

(b) LOCAL TARGET REQUIREMENT.—The Director shall, to the maximum extent feasible, use the funds appropriated pursuant to the authorization in section 105 for media that focuses on, or includes specific information on, prevention or treatment resources for consumers within specific local areas.

SEC. 103. USE OF FUNDS.

(a) AUTHORIZED USES.—The funds authorized to be appropriated in section 105 for the support of a national media campaign may be used to fund—

(1) the purchase of media time and space;

(2) reimbursement of out of pocket advertising production costs for agencies that provide all creative development on a pro bono basis;

(3) the negotiated fee for the contract buying agency; and

(4) the evaluation of the effectiveness of the national media campaign.

(b) PROHIBITIONS.—None of the funds authorized to be appropriated in section 105 may be obligated or expended for the following purposes:

(1) To supplant current anti-drug community based coalitions.

(2) To supplant current pro bono public service time donated by national and local broadcasting networks.

(3) For partisan political purposes.

(4) To fund media campaigns that feature any elected officials, persons seeking elected office, cabinet level officials, or other Federal officials employed pursuant to section 213 of Schedule C of title 5, Code of Federal Regulations, unless the Director provides advance notice to the Committees on Appropriations of the House of Representatives

and the Senate and the Committee on the Judiciary of the Senate.

(c) MATCHING REQUIREMENT.—Funds appropriated pursuant to the authorization in section 105 shall be matched by an equal amount of non-Federal funds for the campaign, or be matched with in-kind contributions to the campaign of the same value.

SEC. 104. REPORTS TO CONGRESS.

The Director shall—

(1) submit to Congress on a quarterly basis a report on the activities for which funds appropriated pursuant to the authorization in section 105 have been obligated during the preceding quarter, and on the specific parameters of the national media campaign; and

(2) not later than one year after the date of the enactment of this Act, submit to Congress a report on the effectiveness of the national media campaign based on measurable outcomes provided to Congress previously.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for the Office of National Drug Control Policy to carry out this subtitle $195,000,000 for each of fiscal years 1999 through 2002.

Subtitle B—Drug-Free Workplace Act

SEC. 111. SHORT TITLE.

This subtitle may be cited as the "Drug-Free Workplace Act of 1998".

SEC. 112. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) 74 percent of adults who use illegal drugs are employed;

(2) small business concerns employ over 50 percent of the Nation's workforce;

(3) in over 88 percent of families with children under the age of 18, at least 1 parent is employed; and

(4) employees who use drugs increase costs for businesses and risk the health and safety of all employees because—

(A) absenteeism is 66 percent higher among drug users than nondrug users;

(B) health benefit utilization is 300 percent higher among drug users than nondrug users;

(C) 47 percent of workplace accidents are drug-related;

(D) disciplinary actions are 90 percent higher among drug users than nondrug users; and

(E) employee turnover is significantly higher among drug users than nondrug users.

(b) PURPOSES.—The purposes of this subtitle are to—

(1) educate small business concerns about the advantages of a drug-free workplace;

(2) provide financial incentives and technical assistance to enable small business concerns to create a drug-free workplace; and

(3) assist working parents in keeping their children drug-free.

SEC. 113. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) businesses should adopt drug-free workplace programs; and

(2) States should consider financial incentives, such as reductions in workers' compensation premiums, to encourage businesses to adopt drug-free workplace programs.

SEC. 114. DRUG-FREE WORKPLACE DEMONSTRATION PROGRAM.

The Small Business Act (15 U.S.C. 636 et seq.) is amended by—

(1) redesignating sections (30) and (31) as sections (31) and (32), respectively; and

(2) inserting the following new section:

"SEC. 30. DRUG-FREE WORKPLACE DEMONSTRATION PROGRAM.

"(a) ESTABLISHMENT.—There is established a drug-free workplace demonstration program, under which the Administration may make grants to eligible intermediaries for the purpose of providing financial and technical assistance to small business concerns seeking to start a drug-free workplace program.

"(b) ELIGIBILITY FOR PARTICIPATION.—An intermediary shall be eligible to receive a grant under subsection (a) if it meets the following criteria:

"(1) It is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from tax under section 5(a) of such Act, a program of such organization, or provides services to such organization.

"(2) Its primary purpose is to develop comprehensive drug-free workplace programs or to supply drug-free workplace services.

"(3) It has at least 2 years of experience in drug-free workplace programs.

"(4) It has a drug-free workplace policy in effect.

"(c) REQUIREMENTS FOR PROGRAM.—Any drug-free workplace program established as a result of this section shall include—

"(1) a written policy, including a clear statement of expectations for workplace behavior, prohibitions against substances in the workplace, and the consequences of violating such expectations and prohibitions;

"(2) training for at least 60 minutes for employees and supervisors;

"(3) additional training for supervisors and employees who are parents;

"(4) employee drug testing; and

"(5) employee access to an employee assistance program, including assessment, referral, treatment, and problem resolution.

"(d) AUTHORIZATION.—There are authorized to be appropriated to carry out the provisions of this section, $10,000,000 for fiscal year 1999 and such sums may remain available until expended.

SEC. 115. SMALL BUSINESS DEVELOPMENT CENTERS.

Section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(3)) is amended—

(1) in subparagraph (R) by striking "and";

(2) in subparagraph (S) by striking the period and inserting "; and"; and

(3) by inserting after subparagraph (S) the following new subparagraph:

"(T) providing information and assistance to small business concerns with respect to developing drug-free workplace programs.".

SEC. 116. CONTRACT AUTHORITY.

The Small Business Administrator may contract with and compensate government and private agencies or persons for services related to carrying out the provisions of this subtitle.

Subtitle C—Drug-Free Teen Drivers

SEC. 121. SHORT TITLE.

This subtitle may be cited as the "Drug Free Teenage Drivers Act".

SEC. 122. MODEL PROGRAM.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall establish a model program to provide for the voluntary drug testing of all teenage applicants for a driver's license and, if a State adopting the model program elects, other first time applicants for a driver's license regardless of age.

(b) MINIMUM ELEMENTS.—The model program established under this section shall provide, at a minimum—

(1) that information respecting an applicant's choice not to take a drug test under the program or the result of a drug test on the applicant will be made available to the applicant's automobile insurance company, if any, or the parent of a teenage applicant, or both, as determined by a State that adopts the program; and

(2) if an applicant tests positive in the drug test, the State will not issue a license to the applicant and will require the applicant to complete a drug treatment program approved by the State and not test positive in a drug test before reapplying for a license.

(c) ADOPTION BY STATES.—The States may adopt and implement the model program established under this section. If a State adopts the model program, the State shall in carrying out subsection (b)(2) provide the treatment described in such subsection to low-income individuals who apply for drivers' licenses.

SEC. 123. INCENTIVE GRANT PROGRAM.

(a) IN GENERAL.—The Secretary of Transportation shall establish an incentive grant program to assist States in improving their laws relating to controlled substances and driving.

(b) GRANT REQUIREMENTS.—To qualify for a grant under subsection (a), a State shall meet each of the following requirements:

(1) Enact, actively enforce, and publicize a law that makes unlawful throughout the State the operation of a motor vehicle if the driver has any measurable amount of an illegal controlled substance in the driver's body. Individuals who are convicted of a violation of such law shall be referred to appropriate services, including intervention, counseling, and treatment.

(2) Enact, actively enforce, and publicize a law that makes unlawful throughout the State the operation of a motor vehicle if the ability of the driver to operate the vehicle is impaired by an illegal controlled substance. The State shall provide that in the enforcement of such law the driver shall be tested for the presence of an illegal controlled substance when there is evidence of impaired driving. Individuals who are convicted of a violation of such law shall have their driver's license suspended and shall be referred to appropriate services, including intervention, counseling, and treatment.

(3) Enact, actively enforce, and publicize a law that requires the suspension of the driver's license of an individual who is convicted of any criminal offense relating to drugs.

(4) Enact a law that provides that individuals applying for, and individuals renewing, a driver's license will be provided information about the laws referred to in paragraphs (1), (2), and (3) and will be required to answer drug-related questions on their applications.

(c) USE.—A State may only use a grant under subsection (a) only to implement, enforce, and publicize laws described in subsection (b).

(d) GRANT AMOUNTS.—The amount of a grant made to a State under this section in a fiscal year shall be determined by multiplying the total amount of funds made available to carry out this section for such fiscal year by the ratio of the amount of funds made available to the State under section 402 of title 23, United States Code, for such fiscal year to the aggregate amount of funds made available to carry out such section 402 for such fiscal year to all States to which grants will be made under this section in such fiscal year.

(e) DEFINITIONS.—In this section, the following definitions apply:

(1) CONTROLLED SUBSTANCES.—The term "controlled substances" has the meaning given such term in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)).

(2) ILLEGAL CONTROLLED SUBSTANCE.—The term "illegal controlled substance" means a controlled substance for which an individual does not have a legal written prescription.

SEC. 124. TECHNICAL ASSISTANCE.

The Secretary of Transportation shall provide to the States technical assistance for—

(1) training law enforcement officers in the standardized field sobriety testing techniques to detect impaired drivers;

(2) expanding drug information and training by involving prosecutors in community drugged driving prevention programs; and

(3) promoting uniform sanctions for drugged driving offenses, referring drugged driving offenders to assessment and treatment programs, and involving judges in community drugged prevention programs.

SEC. 125. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this subtitle for fiscal years 1999 and 2000.

Subtitle D—Drug-Free Prisons and Jails

SEC. 131. SHORT TITLE.

This subtitle may be cited as the "Drug-Free Prisons and Jails Act of 1998".

SEC. 132. PURPOSE.

The purpose of this subtitle is to provide model programs for comprehensive treatment of substance-involved offenders in the criminal justice system to reduce drug abuse and drug-related crime, and reduce the costs of the criminal justice system, that can be successfully replicated by States and local units of government through a comprehensive evaluation.

SEC. 133. PROGRAM AUTHORIZATION.

(a) ESTABLISHMENT.—The Director of the Bureau of Justice Assistance shall establish a model substance abuse treatment program for substance-involved offenders by—

(1) providing financial assistance to grant recipients selected in accordance with section 134(b); and

(2) evaluating the success of programs conducted pursuant to this subtitle.

(b) GRANT AWARDS.—The Director may award not more than 5 grants to units of local government and not more than 5 grants to States.

(c) ADMINISTRATIVE COSTS.—Not more than 5 percent of a grant award made pursuant to this subtitle may be used for administrative costs.

SEC. 134. GRANT APPLICATION.

(a) CONTENTS.—An application submitted by a unit of local government or a State for a grant award under this subtitle shall include the following:

(1) STRATEGY.—A strategy to coordinate programs and services for substance-involved offenders provided by the unit of local government or the State, as the case may be, developed in consultation with representatives from all components of the criminal justice system within the jurisdiction, including judges, law enforcement personnel, prosecutors, corrections personnel, probation personnel, parole personnel, substance abuse treatment personnel, and substance abuse prevention personnel.

(2) CERTIFICATION.—Certification that—

(A) Federal funds made available under this subtitle will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities; and

(B) the programs developed pursuant to this subtitle meet all requirements of this subtitle.

(b) REVIEW AND APPROVAL.—Subject to section 133(b), the Director shall approve applications and make grant awards to units of local governments and States that show the most promise for accomplishing the purposes of this subtitle consistent with the provisions of section 135.

SEC. 135. USES OF FUNDS.

A unit of local government or State that receives a grant award under this subtitle shall use such funds to provide comprehensive treatment programs to inmates in prisons or jails, including not less than 3 of the following—

(1) tailored treatment programs to meet the special needs of different types of substance-involved offenders;

(2) random and frequent drug testing, including a system of sanctions;

(3) training and assistance for corrections officers and personnel to assist substance-involved offenders in correctional facilities;

(4) clinical assessment of incoming substance-involved offenders;

(5) availability of religious and spiritual activity and counseling to provide an environment that encourages recovery from substance involvement in correctional facilities;

(6) education and vocational training; and

(7) a substance-free correctional facility policy.

SEC. 136. EVALUATION AND RECOMMENDATION REPORT TO CONGRESS.

(a) EVALUATION.—

(1) IN GENERAL.—The Director shall enter into a contract, with an evaluating agency that has demonstrated experience in the evaluation of substance abuse treatment, to conduct an evaluation that incorporates the criteria described in paragraph (2).

(2) EVALUATION CRITERIA.—The Director, in consultation with the Directors of the appropriate National Institutes of Health, shall establish minimum criteria for evaluating each program. Such criteria shall include—

(A) reducing substance abuse among participants;

(B) reducing recidivism among participants;

(C) cost effectiveness of providing services to participants; and

(D) a data collection system that will produce data comparable to that used by the Office of Applied Studies of the Substance Abuse and Mental Health Services Administration and the Bureau of Justice Statistics of the Office of Justice Programs.

(b) REPORT.—The Director shall submit to the appropriate committees of Congress, at the same time as the President's budget for fiscal year 2001 is submitted, a report that—

(1) describes the activities funded by grant awards under this subtitle;

(2) includes the evaluation submitted pursuant to subsection (a); and

(3) makes recommendations regarding revisions to the authorization of the program, including extension, expansion, application requirements, reduction, and termination.

SEC. 137. DEFINITIONS.

For purposes of this subtitle:

(1) SUBSTANCE-INVOLVED OFFENDER.—The term "substance-involved offender" means an individual under the supervision of a State or local criminal justice system, awaiting trial or serving a sentence imposed by the criminal justice system, who—

(A) violated or has been arrested for violating a drug or alcohol law;

(B) was under the influence of alcohol or an illegal drug at the time the crime was committed;

(C) stole property to buy illegal drugs; or

(D) has a history of substance abuse and addiction.

(2) DIRECTOR.—The term "Director" means the Director of the Bureau of Justice Assistance;

(3) UNIT OF LOCAL GOVERNMENT.—The term "unit of local government" means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior and any agency of the District of Columbia government or the United States Government performing law enforcement functions in and for the District of Columbia, and the Trust Territory of the Pacific Islands.

(4) APPROPRIATE CONGRESSIONAL COMMITTEE.—The term "appropriate Congressional Committee" means the Committees on the Judiciary and the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 138. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle from the Violent Crime Reduction Trust Fund as authorized by title 31 of the Violent Crime and Control and Law Enforcement Act of 1994 (Public Law 103–322) (42 U.S.C. 14211)—

(1) for fiscal year 1999, $30,000,000; and

(2) for fiscal year 2000, $20,000,000.

(b) RESERVATION.—The Director may reserve each fiscal year not more than 20 percent of the funds appropriated pursuant to subsection (a) for activities required under section 136.

Subtitle E—Drug-Free Schools Quality Assurance

SEC. 151. SHORT TITLE.

This subtitle may be cited as the "Drug-Free Schools Quality Assurance Act".

SEC. 152. AMENDMENT TO SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES ACT.

Subpart 3 of title IV of the Elementary and Secondary Education Act of 1965 is amended by adding at the end the following:

"SEC. 4134. QUALITY RATING.

"(a) IN GENERAL.—The Secretary shall develop a rating system, or allow State educational agencies, to determine if a public school has a drug program that meets the qualification described in subsection (b).

"(b) CRITERIA.—The criteria to determine if a school has a quality drug program shall include, at a minimum, the following:

"(1) NEEDS ASSESSMENT.—A thorough needs assessment before implementation of a drug program.

"(2) RESEARCH.—Implementation of a research-based program.

"(3) PARENT AND COMMUNITY INVOLVEMENT.—Involvement of parents and community members in program design and review of existing community drug programs before implementation of a school program.

"(c) REQUEST FOR QUALITY RATING.—A school that wishes to receive a quality rating shall submit a request and documentation of compliance with this section to the Secretary.

"(d) PUBLIC NOTIFICATION.—Not less than once each year, the Secretary shall report in the Federal Register the names of schools that have received a quality rating as described in this section. The Secretary shall also ensure that a list of programs that received a quality rating is readily available to any individual who requests it from the Department of Education.".

Subtitle F—Drug-Free National Clearinghouse

SEC. 161. SHORT TITLE.

This subtitle may be cited as the "Drug-Free National Clearinghouse Act of 1998".

SEC. 162. ESTABLISHMENT OF CLEARINGHOUSE; FUNCTIONS.

(a) ESTABLISHMENT.—(1) There shall be established in the Office of National Drug Control Policy an office to be known as Drug-

Free National Clearinghouse (in this subtitle referred to as the "Clearinghouse").

(2) The Clearinghouse shall be established pursuant to paragraph (1) not later than 90 days after the date of the enactment of this Act.

(b) FUNCTIONS.—The functions of the Clearinghouse shall be—

(1) to consolidate and assume the drug prevention and drug treatment information clearinghouse roles currently performed by National Drug Control Program agencies (as that term is defined in section 1010(6) of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1507(6))); and

(2) to ensure that drug prevention and drug treatment information is effectively disseminated by such agencies to individuals, State and local governments, and nongovernmental entities involved in demand reduction (as that term is defined in section 1010(4) of such Act (21 U.S.C. 1507(4))).

SEC. 163. DIRECTOR.

(a) APPOINTMENT.—There shall be at the head of the Clearinghouse a director, who shall be appointed by the Director of the Office of National Drug Control Policy in consultation with the Director of the National Institute on Drug Abuse.

(b) DUTIES.—The director of the Clearinghouse shall—

(1) encourage consultation between any National Drug Control Program agency that conducts or sponsors research on drug prevention or drug treatment, and any National Drug Control Program agency that disseminates such information;

(2) encourage, as appropriate, National Drug Control Program agencies to develop and implement drug prevention and drug treatment information dissemination plans that specifically target individuals, State and local governments, and nongovernmental entities involved in demand reduction; and

(3) coordinate the dissemination of drug prevention and drug treatment information by such agencies to individuals, State and local governments, and nongovernmental entities involved in demand reduction.

SEC. 164. COOPERATION BY NATIONAL DRUG CONTROL PROGRAM AGENCIES.

Each National Drug Control Program agency shall cooperate with the director of the Clearinghouse in carrying out the provisions of this subtitle.

Subtitle G—Drug-Free Parents Empowerment

SEC. 171. SHORT TITLE.

This subtitle may be cited as the "Drug-Free Parents Empowerment Act".

SEC. 172. DRUG-FREE PARENTS EMPOWERMENT.

(a) ESTABLISHMENT.—The Secretary of Health and Human Services (in this section referred to as the "Secretary") shall make grants to support the efforts of parent organizations to develop and promote efforts to reduce illegal drug use among children in their communities.

(b) REQUIREMENTS.—A parent organization may receive a grant under subsection (a) only if the following conditions are met:

(1) The organization is a nonprofit organization that is exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986.

(2) The organization is governed primarily by parents of children who reside in the community involved.

(3) The organization has not less than five years experience in training, informing, and involving parents in substance-abuse prevention activities within such community.

(4) The application submitted pursuant to subsection (c) by the organization includes a strategy for increasing the involvement of parents in prevention activities, including parent training, that are carried out in such community and that complement the work of other parts of the community regarding such activities.

(5) The application contains an agreement by the organization that the organization will not expend more than 10 percent of the grant for administrative expenses involved in carrying out the purpose for which the grant is made.

(6) Such application has been approved pursuant to a process of peer review established by the Secretary.

(c) APPLICATION FOR GRANT.—The Secretary may make a grant under subsection (a) only if an application for the grant is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this section.

(d) LIMITATION ON AMOUNT OF GRANT.—A grant under subsection (a) for a fiscal year may not be made in an amount exceeding $20,000.

(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $10,000,000 for each of the fiscal years 1999 through 2001.

TITLE II—PRIVATE SECTOR ANTI-DRUG PARTNERSHIPS

Subtitle A—Antiaddiction Medications

SEC. 201. SHORT TITLE.

This subtitle may be cited as the "Antiaddiction Medication Development Act".

SEC. 202. FACILITATION OF APPROVAL FOR COMMERCIAL DISTRIBUTION OF ANTIADDICTION DRUGS DEVELOPED BY NATIONAL INSTITUTE OF DRUG ABUSE.

(a) IN GENERAL.—The Commissioner of Food and Drugs and the Attorney General of the United States shall, respectively, promptly provide to the Director of the National Institute on Drug Abuse a response to any request described in subsection (b) that is submitted to the Commissioner or the Attorney General by the Director regarding a drug—

(1) that is being developed by the Director as a maintenance or detoxification treatment for addiction to one or more narcotic substances;

(2) for which clinical trials are being or have been conducted to determine the safety and effectiveness of the drug; and

(3) for which the Director seeks or has approved a private entity to submit for the drug an application under section 505(b) of the Federal Food, Drug, and Cosmetic Act; and

(4) that likely will be added to one of the schedules of controlled substances pursuant to section 201 of the Controlled Substances Act.

(b) DESCRIPTION OF REQUEST.—For purposes of subsection (a), a request by the Director is a request that, with respect to a drug described in subsection (a), the Commissioner and the Attorney General exercise their discretion under the Federal Food, Drug, and Cosmetic Act, and the Controlled Substances Act, to accomplish one or more of the following (as applicable under the request):

(1) To carry out promptly section 201(b) of the Controlled Substances Act with respect to the drug (relating to the decision regarding on which of the schedules of controlled substances a drug is to be included).

(2) To advise the Director, and the sponsor of the application under section 505(b) of the Federal Food, Drug, and Cosmetic Act, on the actions that can be taken by the Director and the sponsor to facilitate the approval of the application.

(3) To designate the drug as a fast track product for purposes of section 506 of such Act.

(4) To provide the drug to physicians who request the drug for treatment purposes under section 561 of such Act (relating to the provision of investigational new drugs to patients who are not participating in clinical trials).

(5) To advise the Director and the sponsor of the application on the actions that can be taken to facilitate the designation of the drug under section 526 of such Act as being a drug for a rare disease or condition (commonly referred to as an orphan drug).

(c) PROCEDURES REGARDING SUBMISSION OF REQUEST; RESPONSE TO REQUEST.—

(1) REQUEST.—In making a request described in subsection (b), the Director shall—

(A) provide such information as the Commissioner or the Attorney General (as applicable) determines is necessary with respect to the request; and

(B) if the request is described in any of paragraphs (3) through (5) of such subsection, state the reasons underlying the determination of the Director that the drug involved may qualify for the status described in the paragraph involved.

(2) RESPONSE.—In providing a response to a request described in subsection (b), the Commissioner and the Attorney General shall state the reasons underlying the response, including as applicable, the reasons underlying any determination by the Secretary that providing a status described in any of paragraphs (3) through (5) of such subsection for the drug involved would be inconsistent with applicable law.

(d) DEFINITIONS.—For purposes of this section:

(1) The term "Commissioner" means the Commissioner of Food and Drugs.

(2) The term "Director" means the Director of the National Institute on Drug Abuse.

(3) The term "Attorney General" means the Attorney General of the United States.

SEC. 203. REPORT REGARDING INCENTIVES FOR DEVELOPMENT OF ANTIADDICTION DRUGS.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the "Secretary"), in collaboration with the officials specified in subsection (b), shall conduct a study for the purpose of determining whether there is a need to establish particularized incentives for the development of drugs to treat dependence on alcohol or on any controlled substance as defined in section 102 of the Controlled Substances Act (referred to in this section as "qualifying antiaddiction drugs").

(b) COLLABORATION AMONG AGENCIES.—For purposes of subsection (a), the officials specified in this subsection are as follows:

(1) The Commissioner of Food and Drugs.

(2) The Director of the National Institute on Alcohol Abuse and Alcoholism.

(3) The Director of the National Institute on Drug Abuse.

(4) The Director of the National Institute of Mental Health.

(5) The Administrator of the Substance Abuse and Mental Health Services Administration.

(c) CERTAIN ELEMENTS OF STUDY.—If in conducting the study under subsection (a) the Secretary determines that there is a

need to establish particularized incentives for the development of qualifying antiaddiction drugs, the Secretary shall determine whether the incentives should include one or both of the following:

(1) Providing for increased cooperation among the agencies referred to in subsection (b) in order to facilitate the development and approval of such drugs.

(2) Establishing under the Federal Food, Drug, and Cosmetic Act particularized financial incentives for the development of such drugs.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall complete the study required in subsection (a) and submit to the Committee on Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the findings made in the study.

Subtitle B—Commission on Role of Medication Education in Reducing Substance Abuse

SEC. 211. NATIONAL COMMISSION ON THE ROLE OF MEDICAL EDUCATION IN REDUCING SUBSTANCE ABUSE.

(a) IN GENERAL.—The Secretary of Health and Human Services shall establish an advisory commission to be known as the National Commission on the Role of Medical Education in Reducing Substance Abuse.

(b) DUTIES.—

(1) IN GENERAL.—The Commission shall conduct a study for the purpose of determining the manner in which programs of initial and continuing medical education can be modified to improve the efforts of health professionals in preventing, diagnosing, and treating cases of substance abuse.

(2) DATE CERTAIN FOR COMPLETION.—Not later than one year after the date of the enactment of this Act, the Commission shall complete the study required in paragraph (1).

(3) REPORT.—Upon completing the study required in paragraph (1), the Commission shall prepare a report describing the findings made as a result of the study. The report shall be submitted to the President, to the appropriate departments and Federal agencies, and to the appropriate committees of the Congress. The Commission may include in the report any recommendations of the Commission regarding administrative or legislative actions. The Secretary shall disseminate the report to the public health officers of the States with the request that the States disseminate the report to public and private programs within the State that provide education in the health professions.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of 10 voting members appointed in accordance with paragraph (2) and the nonvoting, ex officio members designated under paragraph (3).

(2) APPOINTMENT OF NON-FEDERAL INDIVIDUALS.—Subject to paragraph (3), the voting members of the Commission under paragraph (1) shall be appointed by the Secretary, and shall be appointed from among individuals who on the day before being appointed were not officers or employees of the Federal Government. Of such members—

(A) one shall be a representative of the American College of Physicians;

(B) one shall be a representative of the American Medical Association;

(C) one shall be a representative of the Association of Professors of Medicine;

(D) one shall be a representative of the American Academy of Pediatrics;

(E) one shall be a representative of the Association of American Medical Colleges;

(F) one shall be a representative of the Association for Substance Abuse Medicine;

(G) one shall be a representative of the American Society of Addiction Medicine;

(H) one shall be a representative of the American Academy of Family Physicians;

(I) one shall be a representative of the American Academy of Neurology; and

(J) one shall be a representative of the American College of Preventive Medicine.

(3) EX OFFICIO MEMBERS.—Each of the following officials (or the designees of the officials) shall serve as the ex officio members of the Commission under paragraph (1):

(A) The Director of the National Institutes of Health.

(B) The Director of National Drug Control Policy.

(C) The Director of the Center on Substance Abuse Prevention.

(D) The Director of the Center on Substance Abuse Treatment.

(E) The Surgeon General of the Public Health Service.

(d) CHAIR.—The Commission shall, from among the members appointed under subsection (c)(2), designate an individual to serve as the chair of the Commission.

(e) TERMS.—The term of a member of the Commission appointed under subsection (c)(2) is for the duration of the Commission.

(f) VACANCIES.—

(1) AUTHORITY OF COMMISSION.—A vacancy in the membership of the Commission does not affect the power of the remaining members to carry out the duties under subsection (b).

(2) APPOINTMENT OF SUCCESSORS.—A vacancy in the membership of the Commission shall be filled in the manner in which the original appointment was made.

(3) INCOMPLETE TERM.—If a member of the Commission does not serve the full term applicable to the member, the individual appointed to fill the resulting vacancy shall be appointed for the remainder of the term of the predecessor of the individual.

(g) MEETINGS.—

(1) IN GENERAL.—The Commission shall meet at the call of the Chair or a majority of the members. The Commission shall meet no fewer than four times.

(2) QUORUM.—A quorum for meetings of the Commission is constituted by the presence of six of the members appointed under subsection (c)(2).

(h) COMPENSATION; REIMBURSEMENT OF EXPENSES.—

(1) APPOINTED MEMBERS.—Members of the Commission appointed under subsection (c)(2) shall receive compensation for each day (including traveltime) engaged in carrying out the duties of the Committee. Such compensation may not be in an amount in excess of the daily equivalent of the annual maximum rate of basic pay payable under the General Schedule (under title 5, United States Code) for positions above GS–15.

(2) EX OFFICIO MEMBERS.—Members of the Commission who are designated under subsection (a)(4) may not receive compensation for service on the Commission in addition to the compensation otherwise received for duties carried out as Federal officers or employees.

(3) REIMBURSEMENT.—Members of the Commission may, in accordance with chapter 57 of title 5, United States Code, be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out the duties of the Commission.

(i) STAFF AND CONSULTANTS.—

(1) STAFF.—

(A) IN GENERAL.—The Commission may appoint and determine the compensation of such staff as may be necessary to carry out the duties of the Commission, including an executive director. Such appointments and compensation may be made without regard to the provisions of title 5, United States Code, that govern appointments in the competitive services, and the provisions of chapter 51 and subchapter III of chapter 53 of such title that relate to classifications and the General Schedule pay rates.

(B) LIMITATION.—Staff members appointed under paragraph (1) may not be compensated in excess of the maximum rate of basic pay payable for GS–15, except that the executive director may not be compensated in an amount exceeding the maximum rate of basic pay payable under the General Schedule for positions above GS–15.

(2) CONSULTANTS.—The Commission may procure such temporary and intermittent services of consultants under section 3109(b) of title 5, United States Code, as the Commission may determine to be appropriate in carrying out the duties under subsection (b). The Commission may not procure services under this subsection at any rate in excess of the daily equivalent of the maximum annual rate of basic pay payable under the General Schedule for positions above GS–15. Consultants under this subsection may, in accordance with chapter 57 of title 5, United States Code, be reimbursed for travel, subsistence, and other necessary expenses incurred for activities carried out on behalf of the Commission pursuant to subsection (b).

(j) ADMINISTRATIVE SUPPORT.—The Administrator of General Services shall, on a reimbursable basis, provide for the Commission such quarters and administrative support as may be necessary for the Commission to carry out the duties under subsection (b).

(k) DURATION OF COMMISSION.—The Commission terminates 45 days after the date on which the report under subsection (b)(3) is submitted under such subsection.

(l) DEFINITIONS.—For purposes of this section:

(1) The term "Commission" means the National Commission on the Role of Medical Education in Reducing Substance Abuse.

(2) The term "Secretary" means the Secretary of Health and Human Services

(m) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $1,000,000 for fiscal year 1999, to remain available until the termination of the Commission under subsection (k).

TITLE III—STATEMENT OF NATIONAL ANTIDRUG POLICY

Subtitle A—Congressional Leadership in Community Coalitions

SEC. 301. SENSE OF CONGRESS.

(a) FINDINGS.—The Congress finds the following:

(1) Illegal drug use is dangerous to the physical well-being of the Nation's youth.

(2) Illegal drug use can destroy the lives of the Nation's youth by diminishing their sense of morality and with it everything in life that is important and worthwhile.

(3) According to recently released national surveys, drug use among the Nation's youth remains at alarmingly high levels.

(4) National leadership is critical to conveying to the Nation's youth the message that drug use is dangerous and wrong.

(5) National leadership can help mobilize every sector of the community to support the implementation of comprehensive, sustainable, and effective programs to reduce drug abuse.

(6) As of September 1, 1998, 76 Members of the House of Representatives were establishing community-based anti-drug coalitions in their congressional districts or were actively supporting such coalitions that already existed.

(7) The individual Members of the House of Representatives can best help their constituents prevent drug use among the Nation's youth by establishing community-based anti-drug coalitions in their congressional districts or by actively supporting such coalitions that already exist.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the individual Members of the House of Representatives, including the Delegates and the Resident Commissioner, should establish community-based anti-drug coalitions in their congressional districts or should actively support such coalitions that already exist.

Subtitle B—Rejection of Legalization of Drugs

SEC. 311. SENSE OF CONGRESS.

(a) FINDINGS.—The Congress finds the following:

(1) Illegal drug use is harmful and wrong.

(2) Illegal drug use can kill the individuals involved or cause the individuals to hurt or kill others, and such use strips the individuals of their moral sense.

(3) The greatest threat presented by such use is to the youth of the United States, who are illegally using drugs in increasingly greater numbers.

(4) The people of the United States are more concerned about illegal drug use and crimes associated with such use than with any other current social problem.

(5) Efforts to legalize or otherwise legitimize drug use present a message to the youth of the United States that drug use is acceptable.

(6) Article VI, clause 2 of the Constitution of the United States states that "[t]his Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and judges in every state shall be bound thereby, any thing in the Constitution or laws of any state to the contrary notwithstanding.".

(7) The courts of the United States have repeatedly found that any State law that conflicts with a Federal law or treaty is preempted by such law or treaty.

(8) The Controlled Substances Act (title II of Public Law 91-513; 21 U.S.C. 801 et seq.) strictly regulates the use and possession of drugs.

(9) The United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotrophic Substances Treaty similarly regulates the use and possession of drugs.

(10) Any attempt to authorize under State law an activity prohibited under such Treaty or the Controlled Substances Act would conflict with that Treaty or Act.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the several States, and the citizens of such States, should reject the legalization of drugs through legislation, ballot proposition, constitutional amendment, or any other means; and

(2) every State should make efforts to be a drug-free State.

Subtitle C—Report on Streamlining Federal Prevention and Treatment Efforts

SEC. 321. REPORT ON STREAMLINING FEDERAL PREVENTION AND TREATMENT EFFORTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the efforts of the Federal Government to reduce the demand for illegal drugs in the United States are frustrated by the fragmentation of those efforts across multiple departments and agencies; and

(2) improvement of those efforts can best be achieved through consolidation and coordination.

(b) REPORT REQUIREMENT.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director of National Drug Control Policy shall prepare and submit to the appropriate committee a report evaluating options for increasing the efficacy of drug prevention and treatment programs and activities by the Federal Government. Such option shall include the merits of a consolidation of programs into a single agency, transferring programs from one agency to another, and improving coordinating mechanisms and authorities.

(2) RECOMMENDATION AND EXPLANATORY STATEMENT.—The study submitted under paragraph (1) shall identify options the Director deems have merit, and an explanation which options should be implemented.

(3) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section, there are authorized to be appropriated to the Director of National Drug Control Policy $1,000,000 for contracting, policy research, and related costs.

(c) APPROPRIATE COMMITTEE DEFINED.—In this section, the term "appropriate committees" means the Committee on Appropriations, the Committee on Commerce, and the Committee on Education and the Workforce of the House of Representatives, and the Committee on Appropriations, and Committee on Labor and Human Resources of the Senate.

Mr. DEFAZIO. Mr. Chairman, I move to strike the last word, and I rise in support of the bill.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY MS. ROS-LEHTINEN

Ms. ROS-LEHTINEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. ROS-LEHTINEN:

Page 26, line 16, strike "$20,000" and insert "$50,000".

Ms. ROS-LEHTINEN. Mr. Chairman, as an educator and as a parent of two daughters, I know firsthand that children learn most from their parents. Educating parents to teach children about the dangers of drugs has always been and continues to be the single most effective way of preventing children from using drugs.

Nancy Reagan, as a mother and as a First Lady, became an active and vocal crusader to empower the parent. By 1991, with the help of involved parents leading the war against drugs, Mr. Chairman, drug use dropped by 50 percent. Since then, drug use has once again increased despite the many funds we continue to pour into fighting this battle.

One of the problems is that we have failed to understand and take seriously the role of the parent as the leader in the drug war, and we have failed to identify the parent as the person in power.

I thank my colleague, the gentleman from Ohio (Mr. PORTMAN), for taking the initiative in introducing legislation that will authorize funds and encourage States to get parents involved in our battle against drugs. The gentleman from Ohio (Mr. PORTMAN) is regarded by the Congress as the leader in getting grass roots involvement in the drug battle. We all appreciate our colleague's effort and leadership. His bill merits an increase in limitation funds for grants awarded, and that is what my amendment would do. It would increase the competitive grant limitation amount from 20,000 to $50,000 to establish and improve programs that seek to educate and prepare parents to teach their children about the hazard of drugs. In the past, the lack of funding and proper training has inhibited the parental empowerment movement. Parents are our first line of defense in this national drug war, and so I ask my colleagues to support this amendment to bring us one step closer to victory.

Mr. BARRETT of Wisconsin. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just want my colleagues to know that this side accepts the amendment.

Mr. PORTMAN. Mr. Chairman, I move to strike the requisite number of words.

Briefly, Mr. Chairman, I want to thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her help on this legislation. She is a champion for the parent movement around the country, and I think this is an improvement to the legislation. My colleague agrees, we support the amendment, and we urge our colleagues to do the same thing.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BARRETT OF WISCONSIN

Mr. BARRETT of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARRETT of Wisconsin:

Page 10, line 7, insert after "employee drug testing" the following: "by a drug testing laboratory certified by the Substance Abuse and Mental Health Services Administration, or the College of American Pathologists, and each positive test result shall be reviewed by a Licensed Medical Review Officer".

Mr. BARRETT of Wisconsin. Mr. Chairman, this amendment simply makes the language in this bill identical to the language in a bill passed earlier this year, the Drug-free Workplace Act of 1998. That bill passed the

House on June 23 by a 402-to-9 vote. It makes it clear that in those drug-free workplace grants that companies obtain or that nonprofits obtain, that the employee drug testing has to be done by a drug testing laboratory certified by the Substance Abuse and Mental Health Services Administration, the College of American Pathologists, and each positive test result shall be reviewed by a licensed medical review officer. Those are quality concerns.

Mr. PORTMAN. Mr. Chairman, I move to strike the last word.

I would just say, Mr. Chairman, that I very much support this amendment. I think it again improves the legislation. It clarifies the intent of the legislation. It also is consistent, as the gentleman from Wisconsin (Mr. BARRETT) says, with the changes which were made in the previous authorization which did pass the House with an overwhelming bipartisan margin.

So we would certainly accept that amendment, and I appreciate the gentleman's help in improving it.

□ 1815

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Wisconsin (Mr. BARRETT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I offer an amendment.

Mr. BARRETT of Wisconsin. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved.

The Clerk read as follows:

Beginning on page 21, strike lines 7 and all that follows through page 22, line 9, and insert the following:

"(a) IN GENERAL.—The chief executive officer of each State, or in the case of a State in which the constitution or law of such State designates another individual, entity, or agency in the State to be responsible for education activities, such individual, entity, or agency shall—

"(1) establish a standard of quality for drug prevention programs implemented in public schools in the States in accordance with subsection (b); and

"(2) identify and designate, upon application by a school, any public school that achieves such standard as a quality program school.

"(b) CRITERIA.—The standard referred to in subsection (a) shall address, at a minimum—

"(1) a comparison of the rate of illegal use of alcohol, tobacco, and drugs by students enrolled in the school for a period of time to be determined by the chief executive officer of the State;

"(2) the rate of suspensions or expulsions of students enrolled in the school for drug or alcohol related offenses;

"(3) the effectiveness of the program as proven by research;

"(4) the involvement of parents and community members in the design of the drug prevention program; and

"(5) the extent of review of existing community drug prevention programs before implementation of a public school program.

"(c) REQUEST FOR QUALITY PROGRAM DESIGNATION.—A school that wishes to receive a quality program designation shall submit a request and documentation of compliance with this section to the chief executive officer of the State or the individual, entity, or agency described in subsection (a), as the case may be.

"(d) PUBLIC NOTIFICATION.—Not less than once a year, the chief executive officer of each State or the individual, entity, or agency described in subsection (a), as the case may be, shall make available to the public a list of the names of each public school in the State that has received a quality program designation in accordance with this section.".

Mr. SOUDER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BARRETT of Wisconsin. Mr. Chairman, I withdraw my point of order.

Mr. SOUDER. Mr. Chairman, I rise today to offer a perfecting amendment to this bill.

Let me be perfectly clear. I support the bill as it is currently drafted, and I am one of 14 original cosponsors. I believe, however, that the bill could be perfected with the minor adjustment my amendment offers.

As the bill stands now, the subtitle that amends Safe and Drug Free Schools would allow the Secretary of Education to develop a rating system to determine whether a public school has a quality drug program. My perfecting amendment would change this provision to require that States, rather than the bureaucrats inside Washington, establish their own standard of quality for drug prevention programs within their borders.

My rationale in offering this change is simple. It would ensure that authority over education programs be maintained where it should be: at the State level.

It is important to keep in mind that while this amendment would require States to establish their own standards, my amendment would still require modest criteria to be considered by States in their determination of quality. At a minimum, the criteria required would be the following:

The rate of illegal use of alcohol, tobacco or drugs by the students enrolled in the school; the rate of suspensions or expulsions of students enrolled in the school for drug or alcohol-related offenses; the effectiveness of the program as proven by research; the involvement of parents and community members in the design of the drug prevention program; and the extent of review of existing community prevention programs before the implementation of a public school program.

While not being overly prescriptive for States, I believe these criteria will encourage schools to rely on necessary tools that will help them craft effective programs, such as: parental and community input into their drug prevention programs; an accurate assessment of the scope and the frequency of the problem in their school districts; and reliance on reliable research.

Additionally, my amendment continues the bill's current emphasis on the importance of publicly disclosing and highlighting effective programs. The amendment would require State authorities to open up for public inspection at least once per year the names of all schools that have been designated as having formulated quality drug programs.

As we all work in our home districts and our home States, we see that one of the things we need to encourage is the development and widespread dissemination of those programs that have been effective at tackling the problems.

In requiring public notification, I believe we close that loop of what we are trying to accomplish. Public notification is a vital part of the process.

Additionally, open information will facilitate the dissemination of the message to students that the use of illicit drugs and illegal alcohol and tobacco use will not be tolerated, either in schools or outside of them.

I believe my perfecting amendment, which I worked on with the gentleman from Pennsylvania (Mr. GOODLING) of the Committee on Education and the Workforce, and much of this was developed at his suggestion and his leadership, is in the process of formulating a highly effective piece of legislation. The students of America deserve nothing less.

Mr. BARRETT of Wisconsin. Mr. Chairman, I move to strike the last word.

Mr. Chairman, if the gentleman from Indiana would engage me perhaps on a couple of questions, I would request of the gentleman to tell me a little bit more about what his intent is, what his problem is with the current law.

Mr. SOUDER. Mr. Chairman, will the gentleman yield?

Mr. BARRETT of Wisconsin. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, the discussion we had as part of this process in not going through the full Committee on Education and the Workforce, I talked with the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the committee, as did the gentleman from Ohio (Mr. PORTMAN), and we tried to work this out yesterday and did not get to the Committee on Rules in time, because there is a strong feeling that this decision should be at the State level and we should encourage each State to develop the standards with these guidelines. It is a pattern that we have done in the Committee on Education and the Workforce, is to set national guidelines of what we expect, but leave the final decision-making to the States rather than the Department of Education.

Mr. BARRETT of Wisconsin. Mr. Chairman, reclaiming my time, could the gentleman inform me as to his problem with the current system?

Mr. SOUDER. Mr. Chairman, if the gentleman will continue to yield, we do not have a current system. This is just an amendment to the new bill that we have in.

In that bill, in our first draft we had the Department of Education doing it, and we felt, consistent with everything else we have been doing, it would be better to encourage the States to do it. It is not just saying hey, come up with a word. It is saying, here are the criteria. The criteria did not change. We merely moved the agency where the public dissemination will occur and where the awards will be given to the governors as opposed to the Secretary of Education.

Mr. PORTMAN. Mr. Chairman, will the gentleman yield?

Mr. BARRETT of Wisconsin. I yield to the gentleman from Ohio.

Mr. PORTMAN. Mr. Chairman, let me just try to further clarify.

I think under the legislation it is fair to say that the Secretary had the discretion either to do it at the Federal level or the State level. This change would say that indeed, it should be done at the State level, which I think is consistent generally speaking with the legislation in the sense that we are trying to focus on State and local communities. It also happens to be something important to the chairman, and he gained a waiver. This is something that was raised with me.

This is a good provision. The quality assurance is going to enable parents to know whether these schools are using drug-free school money appropriately and forces them to have a needs assessment and forces them to bring parents in and have research-based programming. The question is just whether that will be a requirement at the State level or something at the Federal level.

Our legislation frankly left it open originally, and this would say it should be done at the State level.

Mr. SOUDER. Mr. Chairman, will the gentleman yield?

Mr. BARRETT of Wisconsin. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, just briefly, I think it is also consistent with how we do the Safe and Drug Free Schools Act and this brings it all together. It is not that the other was bad, that is why I was an original cosponsor of this. It just clarifies it further.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TAYLOR OF MISSISSIPPI

Mr. TAYLOR of Mississippi. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAYLOR of Mississippi:

Add at the end of the bill the following title:

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. DRUG TESTING AS CONDITION OF FEDERAL EMPLOYMENT.

Each individual appointed to an employment position with the Federal Government after the date of the enactment of this Act is appointed with the employment condition that the individual is subject to random, unannounced testing for the illegal use of any controlled substance (as defined in section 102 of the Controlled Substances Act).

Mr. TAYLOR of Mississippi. Mr. Chairman, earlier today we voted to increase the effort on the war on drugs by about $2 billion. We have in different States, including my home State of Mississippi, some of the toughest laws on Earth with regard to drug dealers, a law that with others I helped pass in Mississippi, which says that if one sells 2 ounces of cocaine, 2 ounces of heroin, 100 pills or 10 pounds of marijuana over the course of a year, if one is caught and convicted, one will spend the rest of one's life in prison.

I have flown counterdrug missions with the Colombian National Police, the helicopters that go out and fly cover for the crop dusters. We have SEALs and special forces on the ground in Central America right now training their people in counternarcotics operations. We have a riverine school in Iquitos, Peru, using our Marines and our SEALs to train them in drug interdiction. We have had submarines off the coast, P-3s, E-3s, AWACS, just about everything in the American inventory involved in the war against drugs, and it is not working.

The reason it is not working is that we have this incredible double standard in America where we say, it is bad to sell drugs, but somehow it is all right to use them. It is not all right to use them.

I happened to enlist in the Coast Guard about the time that our armed forces hit rock bottom as far as drug usage. It was fairly common every night for our barracks to smell like the Marrakesh Express. Incidentally, almost every barracks around the world where there were American troops back then smelled like the Marrakesh Express, it was so common for marijuana and other illegal narcotics to be used.

By 1973 or so the military got serious about it and they implemented drug testing. First, it was a fairly lenient program that says, if we catch you, we are going to put you through treatment, we are going to give you a second chance, maybe even a third chance. That over the years has gotten tighter now to where if they catch someone using drugs, they are immediately removed from the force.

Guess what? The closest thing we have in America to a drug-free society is the American military, because they know that justice is sure and it is swift and if they are caught using drugs, they are going to be removed from the military.

Mr. Chairman, I do not think anyone who works for our Nation should be using drugs, illegal drugs, taking their Federal paycheck, paid for by the taxpayers of this country, and buying illegal drugs. I think this is a first step towards sending the message that we are not going to tolerate drug use in America.

For this reason I offer this amendment. I think it is just a first step. It would allow the supervisors to, if they have reason to believe one of their employees is using drugs, to demand a drug test. It does not call for them to be fired. But I would hope that the executive branch of the government would follow this up with hard and fast rules calling for treatment, calling for some way of getting people off drugs, and eventually tighten up those rules to where people who are caught using drugs, after adequate warning, are removed from the Federal payroll.

Mr. BARRETT of Wisconsin. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this amendment, although well intentioned, is clearly unconstitutional. The courts have consistently held that when addressing the privacy considerations of Federal employees, that they have to be measured in a context that provides for a reasonable search. And in making the determination as to whether the search is reasonable, they look at the security risks. That is why when the gentleman from Mississippi talked about the military, there clearly is a security risk dealing with military personnel.

Just last year there was a case, Stigile v. Clinton, decided by the United States Court of Appeals for the District of Columbia, decided April 15, 1997, and in that case, the Court held that employees of the White House who worked with the President and the Vice President on security could be subject to random drug searches. But it also went on to talk about the need for a nexus.

Clearly, there is no nexus provided by simply being a Federal employee and having the drug test. There has to be a nexus, there has to be a test as to whether it is reasonable. Simply working for the Federal Government, being an employee for the Federal Government in and of itself does not provide that nexus.

So this provision is clearly unconstitutional. It violates individuals' Fourth Amendment right to privacy, and it would be a huge mistake for this House to adopt this amendment. It not only would be unconstitutional, but I am sure it would doom this bill, and I ask my colleagues to strongly defeat this measure.

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I simply want to point out that I do not think this is a good idea for various constitutional reasons and other reasons. Also, we have to think about the cost, the fact that there would be a high error ratio; the fact that there would be retesting that would be necessary. It is the kind of issue we have discussed before and have stricken, and I think that it should be stricken again.

Because of the camaraderie, conviviality, nonpartisan situation in this Congress that I hope for, I yield to the gentleman who is the sponsor of this amendment, the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Chairman, I thank the gentlewoman from Maryland, particularly for giving her thoughts on this measure.

□ 1830

In response to what has been said earlier, we are getting ready to have drug testing of teenage drivers just to get a driver's license. We are encouraging private sector employers through this bill, which is the main thrust of this bill, because are encouraging private sector employers to test their employees for drugs.

Ladies and gentlemen, we are the largest employer in America. Why on Earth would we tell all the other smaller employers that we think this is a great idea for them if we do not think it is a great idea for us?

There is a real war being fought on drugs. I visited a Colombian Lansero, that is their word for Ranger, battalion in February on a Thursday. They went out the following Tuesday. There was 125 of them. By the following Thursday, only 18 of them were still alive or not captured. It is a real war.

You read in the paper of American crop dust pilots in training accidents over Colombia. Who is kidding who? They were shot down because there is a bounty on people who fly the crop dusters to eradicate the heroin in the coca fields, $5,000 a plane. If you are a Colombian peasant, $5,000 looks like a heck of a lot of money, and it is certainly worth taking a few potshots at an American pilot for.

It is a real war. I do not think it is fair to ask some Americans to put their lives on the line when we are not even going to ask other Americans who worked for this Nation to just be subject to a test to let us know that they are on our side, not on their side, on our side, that they are living within the law.

That is what the congressional inquiry into the President is all about: Is the highest elected official living by the law? Yes? No? I think every single Federal employee, Congressman, every one of us ought to live by the law and be subject to testing to make sure that we are living by the law.

That is why I offered this amendment. It is not enough to send troops all over Latin America, because when you solve the problem in Peru, it goes to Colombia. When you fix it in Colombia, it is going to go to Belize.

A lot of the heroin has come out of southeast Asia. We have tried to go over there and tell them our will. They did not like the idea. I do not think anyone is a proponent of sending more Americans over to Southeast Asia right now.

The problem is in America. It is not in Colombia. It is not in Peru. It is not in Belize. It is not in Thailand. It is here in America. I think the way we start solving the problem in America is by telling our employees, the people that work for America, do not use illegal drugs. It is real simple.

All the death sentences and drug kingpin laws are not going to do anything because there is so much money to be made; because if you go after this kingpin, he is just going to be replaced by another.

The way you solve the problem is one at a time when you start telling Americans we are not going to tolerate drug use. The bill says to the private sector we are going to encourage you, we are going to give you grants, we are going to do all these great things for you if you will ask your employees to quit using drugs.

Doggone it, if it is a good idea for them, it is a good idea for us. The bill is clearly constitutional. We have drug testing for any number of reasons in this country. I think everyone who works in our government in some way contributes to our national security.

The amendment has been ruled in order by the Parliamentarian, and I will be asking for a vote on it.

Mr. CUMMINGS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask the sponsor of the amendment a question, and I will yield to him in a moment once I get the question asked.

I read the amendment. During the gentleman's discussion, he said that the way this thing would work is that if a supervisor had some kind of cause to believe, I think he said, and he can correct me if I am wrong, to believe that someone might be using drugs, that that might be the reason for a drug test, so that might be the cause; is that correct?

Mr. Chairman, I yield to the gentleman from Mississippi (Mr. TAYLOR) to answer that question.

Mr. TAYLOR of Mississippi. Mr. Chairman, right now, we have no means of asking someone who shows up at work apparently stoned out of their mind, there is absolutely nothing right now their supervisor can do. I would like to give him the opportunity to say, I think you ought to take a drug test.

Let me make this perfectly clear. In order to make it constitutional, since the gentleman did have a question, this is for new hires as a subject of a condition of employment. When someone walks in, from the passage of this bill forward, they know that if they accept a job with the Federal Government, as a condition of employment they are subject to drug testing. That is clearly constitutional, because it is done every day in the private sector as a condition of employment.

Mr. CUMMINGS. Mr. Chairman, I reclaim my time for another question. I guess the gentleman is still not answering my question. What I am going to ask is exactly the practicality of how this works.

In the gentleman's amendment, it talks about random unannounced testing. I am just asking, is there something; but in the gentleman's statement of explanation of the amendment, he talked about having some kind of cause to believe that this person, and he just did it again, as having some cause to believe that this person is using drugs.

I guess my question is, when the gentleman talks about random and unannounced, as I read this amendment, that means that we do not even have to have any kind of cause. I mean, is it one or the other, or is it both? Is the gentleman following me?

First of all, I believe that the gentleman's intentions are good, and I know the gentleman is concerned, because I know we have talked about this subject before. I guess I am trying to look at the practicality and trying to make sure that when the Members vote on the amendment, they understand what they are voting for.

It is one thing if the gentleman is saying that having some kind of a reasonable belief that this person is using drugs, that is one thing; to say that it is just random and unannounced for anybody at any time, that is a whole other thing.

So I am asking the gentleman for clarification so that all of us will know what we are voting on, what the gentleman's intent of the amendment is.

Mr. Chairman, I will yield to the gentleman to answer.

Mr. TAYLOR of Mississippi. Mr. Chairman, it can be done at any time as a condition of employment, just as my daughter, the college athlete, is subject to a random drug test and it is on a regular basis a condition of an athlete at the college.

Mr. CUMMINGS. Mr. Chairman, I reclaim my time. So the gentleman is telling me, contrary to what he said a little bit earlier, there does not have to be any kind of cause. There does not have to be any kind of reason for believing or suspecting that that person may be using drugs. Is that correct?

Mr. Chairman, I yield to the gentleman from Mississippi to answer.

Mr. TAYLOR of Mississippi. Mr. Chairman, this is a democracy. We are

a work in progress. If during the course of the debate of this bill, if during the conference the gentleman thinks it needs to be perfected, I would welcome that. But we have to start somewhere.

Mr. CUMMINGS. Mr. Chairman, reclaiming my time, the reason why I ask those questions is because, when the gentleman talked about having a reasonable belief that the person may be using drugs, I think that is a very, very tough determination to make.

I mean, it is one thing when somebody comes in stoned; it is another thing if somebody perhaps wants, and I have seen this in my State where there has been random drug testing and testing for cause, the kind of cause that the gentleman talked about a little bit earlier and what happened. There has been some abuse of that where a supervisor may have wanted to get rid of an employee or whatever, that kind of thing.

The other thing that I am concerned about is, once they discover the person is on drugs, having some kind of way so the person does not lose their job, I know that is the gentleman's intent, so that the person can get some type of treatment as opposed to that person losing their job.

We have seen that come up, like I said, in many instances in our Workman's Compensation laws in Maryland.

Mr. Chairman, I yield to the chairman of the subcommittee, the gentleman from Wisconsin (Mr. BARRETT).

Mr. BARRETT of Wisconsin. Mr. Chairman, I want to make it clear that this bill does not require drug testing for other employees. What it does have is it has a voluntary program, a demonstration program. In that program, companies who take advantage of it as one of the components must have a drug testing provision, but it does not necessarily apply to all employees. It does not necessarily apply to new employees. It can be simply enacted for repeat offenders for an individual who has a drug problem. So let me make it very clear that this bill does not require drug testing for anyone who is in an employment situation.

Mr. PORTMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this amendment came as a surprise to us today. I just listened to the debate carefully and I have to say a couple of things. One is, I am very sympathetic in general to the idea that has been raised by the gentleman from Mississippi (Mr. TAYLOR), which is to have drug testing at the Federal Government level.

We already have drug testing, as I think my colleagues know, for safety-sensitive positions in the Federal Government. There are some concerns that have been raised today, including the fiscal impact. We would have not only a bureaucracy to administer this but we would have, I think necessarily, an employee assistance program. I certainly would think that that would be required. We would have to have some treatment options, which is in the legislation for the small business aspect of this. We would also have to have the costs of the test borne by the taxpayer.

I know CBO has not yet done an estimate of this legislation, but I would like to see what those costs are. I think that would be appropriate for the Congress to review before we acted on it.

The constitutional issues have been raised. I think there is some gray area here, but probably there would be a constitutional issue based on the case law that we have seen, looking at the issue of drug testing here in this Chamber. So I think that is a real issue, certainly. I am not saying that that is a reason not to do it. It would then become a test case, but it is certainly not clear at all.

In the legislation, we have the ability for small businesses to get technical assistance to put in place drug testing, but the legislation only requires that it be some kind of testing, including pre-employment drug testing, including employment drug testing for cause; in other words, after there has been an accident where there is some suspicion of use that there be drug testing. It would not require the small companies that took advantage of the program have unannounced or random drug testing. So this does go further than the legislation before us in that respect.

I guess what I would say to my friend, the gentleman from Mississippi (Mr. TAYLOR), who I am sympathetic with on this issue, I would like to work with him on it. Maybe there is something we can put together through a more thoughtful process where we look at some of these issues, get the costs, figure out whether there is a way to narrow it so it is more targeted. Yet, I think to add it to this legislation at this time is not something that I personally would be able to support.

Mr. SOUDER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I too want to say that I am very much in sympathy with this and, generally speaking, since the time I was a staff member in the other House and worked with Senator COATS in drafting the first drug testing in schools, allowable use of it for safe and drug-free schools, it is working in the drug testing clause in the higher ed bill that we are moving through right now and through my subcommittee we moved the workplace bill.

Among the things we heard in the hearings, however, is that unless the chief executives were being tested along with their employees, there was sort of a double standard. This obviously raises another question in the bill offered by the gentleman from Texas (Mr. BARTON) about drug testing Members of Congress. What I have learned as I have had myself drug tested, that in putting these things in, we cannot even use our staff allowances to do the drug testing.

It is not clear in this bill, and I understand why the gentleman from Mississippi (Mr. TAYLOR) does not have it, that we do not have it for the heads of the agencies rather than just the people coming in.

In addition to the concerns that the gentleman from Ohio (Mr. PORTMAN) read, I have to sort through what I am going to do on the bill, but I am concerned that we might wind up in a situation where we actually set back drug testing, when I ultimately agree with the gentleman's point that what we want to do is advance how we effectively do this.

When we drug test, it is the best prevention program. It is the way to have people be clean. Because the larger companies in this country are, in fact, doing drug testing, abusers have moved to the smaller companies. If we are not careful, they are going to move into Federal employment.

Like the gentleman has mentioned in his statement, that is one of the reasons the military has become clean. I am very empathetic to the gentleman's point, but I wish we could work together in trying to figure out how to do this in the most effective way. I remain uncertain how I am going to vote, but I am very sympathetic with the goals, and I want to make sure we can do it in the most effective way and make sure we actually have drug testing programs that work.

Mr. BARTON of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first I want to thank the gentleman from Ohio (Mr. PORTMAN) for his excellent work on the base bill. He has done a tremendous job.

I am rising specifically to support the amendment of the gentleman from Mississippi (Mr. TAYLOR). The gentleman from New York (Mr. SOLOMON) and I have been working in this Congress to implement the House rule that says all Members of Congress and the congressional staff shall be drug tested. We have a House rule that is ready to come to the floor. We have to honor the Speaker's request that there be a Republican conference on the proposed implementation of the House rule before we bring it to the floor, and I am still hopeful that we can hold that conference and bring that rule, House rule, to the floor in the next 3 weeks.

In the meantime, the amendment of the gentleman from Mississippi (Mr. TAYLOR) that would require as a condition of employment all Federal employees to be drug tested is a giant step in the right direction.

I have a drug testing plan in my office for myself and my congressional

staff. I have had it since 1989. I have extensively worked with the business community, the social welfare community, on making sure that any drug testing plans, first that they are accurate, and second that they are confidential, and that they are implemented in a fair fashion.

□ 1845

As has been pointed out, drug testing does work. It identifies the people that have the problem. It also in most plans gives an opportunity to go into drug counseling rehabilitation. And if we were to pass the Taylor amendment, which I will enthusiastically support, it would help combat the drug problem that faces our country.

So, again, I want to commend the gentleman from Ohio (Mr. PORTMAN) for bringing the base bill to the floor, and I thank the gentleman from Mississippi (Mr. TAYLOR) for taking the advantage of putting the amendment on, and I hope that we adopt this by unanimous consent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi (Mr. TAYLOR).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. BARRETT of Nebraska. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 538, further proceedings on the amendment offered by the gentleman from Mississippi (Mr. TAYLOR) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 2 OFFERED BY MR. RAMSTAD

Mr. RAMSTAD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. RAMSTAD:

At the end of title I, insert the following new subtitle (and conform the table of contents accordingly):

Subtitle H—Addiction Reduction Through Treatment

SEC. 181. SHORT TITLE OF SUBTITLE.

This subtitle may be cited as the "Addiction Reduction Act of 1998".

SEC. 182. FINDINGS.

Congress finds the following:

(1) Substance abuse, if left untreated, is a medical emergency.

(2) Parity should apply to benefits for treatment sought voluntarily, including treatment for substance abuse.

(3) Nothing in this subtitle should be construed as prohibiting application of the concept of parity to substance abuse treatment provided by faith-based treatment providers.

SEC. 183. PARITY IN SUBSTANCE ABUSE TREATMENT BENEFITS.

(a) GROUP HEALTH PLANS UNDER THE PUBLIC HEALTH SERVICE ACT.—(1) Subpart 2 of part A of title XXVII of the Public Health Service Act is amended by adding at the end the following new section:

"SEC. 2706. PARITY IN THE APPLICATION OF TREATMENT LIMITATIONS AND FINANCIAL REQUIREMENTS TO SUBSTANCE ABUSE TREATMENT BENEFITS.

"(a) IN GENERAL.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides both medical and surgical benefits and substance abuse treatment benefits, the plan or coverage shall not impose treatment limitations or financial requirements on the substance abuse treatment benefits unless similar limitations or requirements are imposed for medical and surgical benefits.

"(b) CONSTRUCTION.—Nothing in this section shall be construed—

"(1) as requiring a group health plan (or health insurance coverage offered in connection with such a plan) to provide any substance abuse treatment benefits; or

"(2) to prevent a group health plan or a health insurance issuer offering group health insurance coverage from negotiating the level and type of reimbursement with a provider for care provided in accordance with this section.

"(c) EXEMPTIONS.—

"(1) SMALL EMPLOYER EXEMPTION.—

"(A) IN GENERAL.—This section shall not apply to any group health plan (and group health insurance coverage offered in connection with a group health plan) for any plan year of a small employer.

"(B) SMALL EMPLOYER.—For purposes of subparagraph (A), the term 'small employer' means, in connection with a group health plan with respect to a calendar year and a plan year, an employer who employed an average of at least 2 but not more than 50 employees on business days during the preceding calendar year and who employs at least 2 employees on the first day of the plan year.

"(C) APPLICATION OF CERTAIN RULES IN DETERMINATION OF EMPLOYER SIZE.—For purposes of this paragraph—

"(i) APPLICATION OF AGGREGATION RULE FOR EMPLOYERS.—Rules similar to the rules under subsections (b), (c), (m), and (o) of section 414 of the Internal Revenue Code of 1986 shall apply for purposes of treating persons as a single employer.

"(ii) EMPLOYERS NOT IN EXISTENCE IN PRECEDING YEAR.—In the case of an employer which was not in existence throughout the preceding calendar year, the determination of whether such employer is a small employer shall be based on the average number of employees that it is reasonably expected such employer will employ on business days in the current calendar year.

"(iii) PREDECESSORS.—Any reference in this paragraph to an employer shall include a reference to any predecessor of such employer.

"(2) INCREASED COST EXEMPTION.—This section shall not apply with respect to a group health plan (or health insurance coverage offered in connection with a group health plan) if the application of this section to such plan (or to such coverage) results in an increase in the cost under the plan (or for such coverage) of at least 1 percent.

"(d) SEPARATE APPLICATION TO EACH OPTION OFFERED.—In the case of a group health plan that offers a participant or beneficiary two or more benefit package options under the plan, the requirements of this section shall be applied separately with respect to each such option.

"(e) DEFINITIONS.—For purposes of this section—

"(1) TREATMENT LIMITATION.—The term 'treatment limitation' means, with respect to benefits under a group health plan or health insurance coverage, any day or visit limits imposed on coverage of benefits under the plan or coverage during a period of time.

"(2) FINANCIAL REQUIREMENT.—The term 'financial requirement' means, with respect to benefits under a group health plan or health insurance coverage, any deductible, coinsurance, or cost-sharing or an annual or lifetime dollar limit imposed with respect to the benefits under the plan or coverage.

"(3) MEDICAL OR SURGICAL BENEFITS.—The term 'medical or surgical benefits' means benefits with respect to medical or surgical services, as defined under the terms of the plan or coverage (as the case may be), but does not include substance abuse treatment benefits.

"(4) SUBSTANCE ABUSE TREATMENT BENEFITS.—The term 'substance abuse treatment benefits' means benefits with respect to substance abuse treatment services but only insofar as such treatment services are abstinence-based.

"(5) SUBSTANCE ABUSE TREATMENT SERVICES.—The term 'substance abuse services' means any of the following items and services provided for the treatment of substance abuse:

"(A) Inpatient treatment, including detoxification.

"(B) Non-hospital residential treatment.

"(C) Outpatient treatment, including screening and assessment, medication management, individual, group, and family counseling, and relapse prevention.

"(D) Prevention services, including health education and individual and group counseling to encourage the reduction of risk factors for substance abuse.

"(6) SUBSTANCE ABUSE.—The term 'substance abuse' includes chemical dependency.

"(f) NOTICE.A group health plan under this part shall comply with the notice requirement under section 711(d) of the Employee Retirement Income Security Act of 1974 with respect to the requirements of this section as if such section applied to such plan.

"(g) SUNSET.—This section shall not apply to benefits for services furnished on or after September 30, 2002.".

(2) Section 2723(c) of such Act (42 U.S.C. 300gg-23(c)), as amended by section 604(b)(2) of Public Law 104-204, is amended by striking "section 2704" and inserting "sections 2704 and 2706".

(b) INDIVIDUAL HEALTH INSURANCE.—(1) Part B of title XXVII of the Public Health Service Act is amended by inserting after section 2751 the following new section:

"SEC. 2752. PARITY IN THE APPLICATION OF TREATMENT LIMITATIONS AND FINANCIAL REQUIREMENTS TO SUBSTANCE ABUSE BENEFITS.

"(a) IN GENERAL.—The provisions of section 2706 (other than subsection (e)) shall apply to health insurance coverage offered by a health insurance issuer in the individual market in the same manner as it applies to health insurance coverage offered by a health insurance issuer in connection with a group health plan in the small or large group market.

"(b) NOTICE.—A health insurance issuer under this part shall comply with the notice requirement under section 713(f) of the Employee Retirement Income Security Act of 1974 with respect to the requirements referred to in subsection (a) as if such section applied to such issuer and such issuer were a group health plan.".

(2) Section 2762(b)(2) of such Act (42 U.S.C. 300gg–62(b)(2)) is amended by striking "section 2751" and inserting "sections 2751 and 2752".

(c) EFFECTIVE DATES.—(1) Subject to paragraph (3), the amendments made by subsection (a) apply with respect to group health plans for plan years beginning on or after January 1, 2000.

(2) The amendments made by subsection (b) apply with respect to health insurance coverage offered, sold, issued, renewed, in effect, or operated in the individual market on or after such date.

(3) In the case of a group health plan maintained pursuant to 1 or more collective bargaining agreements between employee representatives and 1 or more employers ratified before the date of enactment of this Act, the amendments made subsection (a) shall not apply to plan years beginning before the later of—

(A) the date on which the last collective bargaining agreements relating to the plan terminates (determined without regard to any extension thereof agreed to after the date of enactment of this Act), or

(B) January 1, 2000.

For purposes of subparagraph (A), any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by subsection (a) shall not be treated as a termination of such collective bargaining agreement.

Mr. HASTERT. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Illinois reserves a point of order.

Mr. RAMSTAD. Mr. Chairman, I rise to offer a critical missing component to the bill before us today. In an attempt to overcome germaneness hurdles, I have modified this amendment so it will not amend ERISA. However, I am aware that other parliamentary concerns have now been raised and I may be forced to withdraw my amendment.

Mr. Chairman, let me say this. While the goals of this anti-drug package before us today are certainly laudable, we will never even come close to a drug-free America until we knock down the barriers to chemical dependency treatment for the 26 million Americans out there tonight suffering the ravages of drug and alcohol addiction. Twenty-six million American addicts already today.

Since 1956, as we all know, the American Medical Association has said addiction is a disease. We all pay lip service to it, but only 2 percent, only 2 percent of the 16 million Americans covered by health insurance plans which purport to cover chemical dependency treatment are able to get effective treatment. Ninety-eight percent of those covered by insurance plans cannot get effective treatment.

Mr. Chairman, that is because treatment for addiction is discriminated against, unlike treatment for any other diseases. Barriers to chemical dependency treatment that the insurance companies erect include discriminatory caps, artificially high deductibles and copayments, as well as other restrictions on treatments such as limited treatment stays that are not imposed on other diseases.

In fact, the average treatment stay allowed by health insurance plans is from 2 to 7 days. Every treatment professional in America, and every one of the 1.7 million Americans who are recovering from addiction, knows that no one can get effective treatment in less than one week. It is a fraud on the American people.

Truly, to reduce illegal drug use in America we must address the disease of addiction by putting chemical dependency treatment on par with treatment for other diseases. That is what this amendment does. It just says we should not discriminate against alcohol and drug addiction treatment any more than we would discriminate against treatment for diabetes or kidney failure, renal failure, heart disease, or any other disease.

We have all the empirical data in the world and all the actuarial studies to prove that parity for chemical dependency treatment will actually save money. For every dollar that we invest, it will save $7 down the road. Health care costs for untreated alcoholics and addicts are 100 percent higher, as all the studies show, than for the cost of those who have been treated.

Mr. Chairman, we can build all the fences on our borders that money can buy. We can hire all the border guards that we can find. But simply dealing with the supply side of this problem and paying lip service to the demand side will not solve the problem of addiction.

Mr. Chairman, we are going to continue to be back here year after year with drug bills and we are not going to make a dent in the problem.

Mr. Chairman, as a recovering alcoholic myself, I know firsthand the value of treatment. As someone who stays close to other recovering people and addicts, alcoholics and addicts, I am alarmed by the dwindling access to treatment in America. Sixty percent of the adolescent treatment beds over the last 10 years are gone. Fifty percent of the treatment beds for adults over the last 10 years are gone because we continue to allow this discrimination, these barriers against treatment.

That is why we have, and I say "thank you" to them, my 93 colleagues, cosponsors from across the ideological spectrum here who have cosponsored this bill. Twenty called my office in the last 2 days to speak on this important amendment to provide access to treatment.

We must, Mr. Chairman, at some time listen to the experts, the experts about our Nation's number one public health and public safety problem. Addiction in America must be addressed before we will ever make significant progress in the illegal drug and alcohol abuse problem.

Mr. Chairman, we need to listen to the 93 colleagues who are cosponsors of my treatment parity legislation. We need to listen to General Barry McCaffrey, who said this is the single most important element in addressing the illegal drug problem. The single most important element is substance abuse treatment parity.

We need to listen to President and Mrs. Ford, who came to Washington to plead with us to pass drug and alcoholism treatment parity. We need to listen to the 17,000 treatment professionals who comprise the National Association of Alcohol and Drug Abuse Counselors, treatment professionals in the trenches and the field every day dealing with sick people who need help.

We need to listen to the physicians of the American Society of Addiction Medicine who support treatment parity, physicians like Navy Captain Ronald E. Smith and Captain Joseph A. Pursch, who support treatment parity.

Mr. Chairman, this is a life-or-death issue for 26 million Americans. This is not another political issue, and it should not be that. It clearly should be included in this package. I am deeply saddened that as we consider the bill designed to reduce demand for drugs in this country, I cannot offer this amendment.

Mrs. MCCARTHY of New York. Mr. Chairman, I rise today in support of Representative RAMSTAD's amendment which prohibits health insurance plans from providing lower levels of benefits for substance abuse treatment services than for medical and surgical benefits.

Illegal drug use is taking an enormous toll on our society—both financially and emotionally. Over 26 million Americans suffer from alcoholism and drug addiction and illegal drug use and alcohol abuse reduces workplace productivity, devastates families and contributes to a high crime rate. We must address this serious problem

Today, we are considering a number of bills intended to end the scourge of drugs. A great deal of effort is focused on eliminating the flow of drugs into this country. But ending the flow of drugs is not enough. If we are truly committed to a drug-free society, we must also stop the demand for drugs. This means educating people, especially our children, on drug prevention. It also means treating those who are already suffering from drug and alcohol addition. As a nurse, I know substance abuse addiction is a complicated disease. But I also know that treatment programs work. For every dollar invested in treatment, there are significant savings in health care costs. The statistics are clear—addicts who undergo treatment are less likely to require emergency room visits or hospitalization. They are also less likely to suffer the long-term medical complications that accompany drug and alcohol abuse. And treatment not only reduces health care costs, it reduces crime and increases workplace productivity.

Comprehensive substance abuse treatment just makes sense. But treatment is only effective if it is affordable and accessible. That is why I support Representative RAMSTAD's

amendment. By extending parity in health care plans for substance abuse treatment to the private sector, Representative RAMSTAD's amendment reinforces the overall goal of H.R. 4450. It ensures that all people who are suffering from the ravages of alcoholism or drug abuse have access to effective medical treatment.

As a nurse, I know that substance abuse treatment works. If we are truly serious about winning the war on drugs in this country, we must ensure that all addicts have access to effective treatment. That is why I urge all of my colleagues to support this important amendment.

Mr. SOUDER. Mr. Chairman, I rise in support of this amendment, which I believe will take an important first step toward ensuring that Americans have more meaningful and effective access to substance abuse treatment through their private insurance plans.

I am a cosponsor of the gentleman from Minnesota's bill because I believe that substance abuse treatment is an essential component of our overall drug strategy. As I said in this morning's debate on the drug interdiction bill, I have traveled to several of the major drug source countries and had the opportunity to have extensive discussions with the leaders of those countries whose citizens are fighting and dying to keep drugs out of the United States. And a major theme that keeps coming up in these discussions is the concern of those leaders that America also has to do its part to stop the demand for drugs that is creating the international drug trade.

Effective treatment is one of our most critical tools to help people who have become addicted to drugs stop the cycle of abuse. I recently visited the Northeastern Center in Kendallville, Indiana in my district. The patients told me without exception how the treatment had made a powerful difference in their lives and enabled them through fellowship and therapy to understand their addictions and learn how to resist the temptations to go back to drug abuse that come back hour after hour, day after day. For them, the struggle to stay away from substance abuse was constant, and that only the help they had received in treatment programs gave them the tools to stay away from drugs.

Many of the people who enter treatment have had their lives so destroyed by drugs that they are almost literally at the end of the line. Many patients face jail or losing their jobs if they could not successfully complete the program. Others have had their families and family life completely destroyed by their drug abuse. Some work in positions of critical public safety, like airplane pilots.

I believe that this amendment is an important first step toward improving the availability of substance abuse treatment. I want to make clear that neither this amendment or the gentleman's bill on which it is based would force any company or insurer to provide coverage or benefits for substance abuse treatment. Instead, it only says that those health plans that do include substance abuse benefits cannot place discriminatory caps, limits, or other conditions on treatment that they do not place on the other benefits in their insurance package. And the amendment before us today would not even go that far, because for parliamentary reasons it would only apply to between 20% and 35% of the insured population—those who are not covered by federal regulation under ERISA.

This amendment is necessary because many patients who seek treatment cannot receive a full and effective treatment program because of policy limits even though their insurance covers drug treatment and would not put the same limits on a hospital stay. Because of this, the dedicated patients who are devoted to treatment will go as far as selling their cars and other assets in order to be able to afford it. The less dedicated patients will give up on the treatment altogether and continue to abuse drugs.

This amendment will be an important first step—a demonstration of the benefits of facilitating access to substance abuse treatment. Some have raised legitimate issues for discussion on the question of whether we yet have effective means to make sure that we fully track the effectiveness of drug treatment outcomes, as well as questions about the most effective methods of treatment and problems with recidivism. All of these are important matters that we should continue to review and discuss as we go forward. But there can be little doubt that helping at least a few people have better access to ways of saving them from drug abuse is far better than doing it for none.

Mr. RAMSTAD. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

Mr. KENNEDY of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KENNEDY of Massachusetts:

Page 4, after line 13, insert the following subsection:

(c) ACTIVITIES REGARDING ALCOHOL ABUSE.—The national media campaign under subsection (a) shall include media activities for the purpose of reducing and preventing alcohol abuse among young people in the United States.

Page 4, line 6, strike "drug abuse" and insert "drug and alcohol abuse".

Page 5, line 4, insert "and anti-alcohol" after "anti-drug".

Mr. KENNEDY of Massachusetts (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PORTMAN. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. The gentleman from Ohio reserves a point of order.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I have a very simple amendment to offer. This measure would require the Office of National Drug Control Policy to include alcohol abuse in its $195 million media campaign against drugs.

Mr. Chairman, the fight against substance abuse is a never-ending battle and in waging this campaign, we must not cede ground on any front to end the scourge that costs America so many lives and wastes so much human and economic potential. The fact is that while waging a $10 billion annual war on drugs, we risk losing sight of the biggest drug threat to our health and safety and that is alcohol. In this war, we simply must include alcohol in the campaign by the Office of National Drug Control Policy to raise the awareness of drug abuse.

Mr. Chairman, this amendment would require the agency to target alcohol abuse in its $195 million ad campaign. Every day it seems that there is another reminder in the headlines of our newspapers, or on the evening news, reporting on the dangers of alcohol abuse. Alcohol is the number one killer of individuals in this country under the age of 24. It is the number one killer. It kills more people than all other illegal drugs combined. We spend $10 billion fighting a war on drugs, and yet the number one drug of choice by young Americans is alcohol.

We say, oh, no, alcohol is somehow different because it is legal. But the truth of the matter is there are over 21 million Americans that claim that they are addicted to alcohol. Of those, there are about 4.5 million children that are addicted to alcohol.

Alcohol is the number one drug of choice of young people in America. It is also, in a bizarre world that we live in today, the one drug that we allow to be advertised in an unfettered manner on our television sets telling my sons, telling everybody's kids across America, that if they want to get a pretty girl or a good looking guy, if they want to be the first on the mountain, if they want to win a bicycle race, if they want to play touch football what should they do? Go out and have a drink.

Mr. Chairman, a lot of kids listen to those ads and they go out and have a drink and as a result we have so many kids that are finally addicted to alcohol.

If we are going to go ahead and anoint a campaign to get rid of drugs, then let us not take some arbitrary differentiation that says this is a legal drug and this is an illegal drug, so we are not going to go after the legal drug, despite the amount of carnage that is left on our streets, the amount of young people that are killed in driving accidents, the amount of people across our country that are arbitrarily killed as a result of people that drink and drive or use heavy equipment and drink.

What I am trying to suggest is that it is very, very important that America as a Nation comes to grips with the

not-talked-about abuse of drugs that is centered around alcohol abuse. I believe very, very strongly that not only is this a position that I hold, but it is a position that I just have got off the phone with General McCaffrey, that he holds as well.

I understand that there are a lot of forces at work in this Capitol that have the ability of limiting the amount of legislation or the kind of legislation that gets passed. The alcohol companies have more clout in this city than just about any other lobby. Particularly, when we recognize the fact that they not only have power themselves, but they have the power of convincing the television stations, the radio stations, the newspapers and everybody else to join up with them. So, we cannot get to a point where we can include alcohol abuse in a national advertising campaign on drugs, because if we do that it could threaten the whole bill.

Mr. Chairman, that kind of logic is the kind of bizarre logic that gets the whole country to think that everybody in Washington has got their head screwed on wrong. But nevertheless, that is what we are up against. So, I have been asked to not follow through and call for a vote on this amendment because it will threaten the entire package. I think it is hogwash. I do not think it is the truth. But I recognize that if we call for this vote and we end up in a situation where everybody does what always happens around here, which is that we lose to the alcohol lobby, then in fact we will take a step backwards.

So, with that I yield to the gentleman from Ohio (Mr. PORTMAN) if he has something nice to say about my amendment.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. Does the gentleman from Ohio (Mr. PORTMAN) wish to insist on his point of order?

Mr. PORTMAN. Mr. Chairman, I reserve my point of order.

The CHAIRMAN. The gentleman may proceed.

Mr. PORTMAN. Mr. Chairman, I move to strike the last word.

Briefly, I want to thank the gentleman from Massachusetts (Mr. KENNEDY) for what he has done, not just today but over the years, to focus on the alcoholism issue. He has been particularly involved in college campus alcoholism and he has taken this issue around the country and he is to be commended for that.

Mr. Chairman, in this legislation we do address alcohol. I was looking through the various provisions. The Drug-Free Parent Empowerment Act would include alcohol in the sense that it is for illegal substances, which of course would include alcohol for minors. In the Drug-Free Communities Act this Congress passed last year it was not just illegal drugs, it was illegal substances which would include alcoholism.

Many of the groups and organizations that will benefit from this legislation are involved also in teenage alcohol abuse. All of the various things we do here to try to make the Federal prevention effort work better, including a national clearinghouse, would be involved in alcoholism for our young people.

So, it is very much addressed in this legislation. The question is whether under subtitle (a) the anti-drug media campaign should be broadened to include alcohol. The gentleman is right, there are a lot of forces at work. They are not the alcohol forces, pro or con. It is the people at the Office of National Drug Control Policy, the President's capable Drug Czar, Barry McCaffrey; it is the appropriators here in this Congress; it is those of us on the authorization side who are trying to make this anti-drug media campaign work.

It is very simple. We want this to focus primarily on drugs so that it makes a difference. That is what the $195 million has been appropriated for and all we did in this bill was finally authorize that appropriation and make it last for 4 years. Earlier today there was some discussion about whether that was necessary. I think it is absolutely necessary for this Congress to go on record supporting the campaign and being sure that it is indeed sustained over time, because if it is not it will not make a difference.

Mr. Chairman, I commend the gentleman for what he is doing and I would tell him that alcoholism is addressed in various ways here, I think even indirectly in the media campaign that General McCaffrey is heading up, but because the language in this legislation has been carefully crafted with General McCaffrey, with the appropriators, we would not be able to accept an amendment to change it at this time.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. PORTMAN. I yield to the gentleman from Massachusetts.

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Mr. KENNEDY of Massachusetts. I would just like to point out that I did, on the gentleman's advice, go and talk with General McCaffrey, and he, I think, would be the first to recognize the fact that the gentleman has personally been involved in attempts to try to broaden and expand and recognize the whole issue of alcohol abuse in the country.

However, I should point out that we are spending, on the lowest estimate I have ever read, $10 billion fighting a war on drugs. More like $40 or $50 billion, if we count all the other dollars that go into the war on drugs. None of those dollars are spent dealing with alcohol abuse. And, in fact, what we do in this country is we expand and promote alcohol use on our airwaves.

So my point is that while, yes, it is important to fight illegal drugs, and I do not mean to in any way diminish the fight against illegal drugs, but if we are sitting there and there is one drug that is killing more people than all of the other illegal drugs combined, then to have an advertising campaign that just focuses on illegal drugs is a little bizarre when so many more people are addicted to alcohol and so many more people are ultimately killed as a result of alcohol abuse, and there is nothing coming across our airwaves telling kids in America that they should not drink. That is what the real problem is, I believe.

But I very much appreciate and understand the limitations that my friend, the gentleman from Ohio (Mr. PORTMAN), has outlined. I would just say that General McCaffrey indicated he very much wants to include alcohol in this campaign, but recognizes, I think, some of the limitations that I was referring to as a reason why he could not support this at this time.

Mr. PORTMAN. Reclaiming my time, Mr. Chairman, I would ask the gentleman, will he continue to press for the amendment?

Mr. KENNEDY of Massachusetts. I have indicated that I am willing to withdraw it, but if someone else wants to speak about the amendment, I would be happy to have them speak on it.

Mr. PORTMAN. Mr. Chairman, how much time do I have?

The Chairman pro tempore (Mr. GIBBONS). The gentleman from Ohio (Mr. PORTMAN) has approximately 30 seconds remaining.

Mr. PORTMAN. Mr. Chairman, I would just say that if the gentleman has already withdrawn the amendment, I will withdraw my point of order, and I appreciate the dialogue.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I did not withdraw my amendment as yet, but I only did not because I thought the gentlewoman from Texas wanted to speak on it.

The CHAIRMAN pro tempore. First, the Chair will ascertain if the gentleman from Ohio (Mr. PORTMAN) is going to reserve his point of order.

Mr. PORTMAN. I suppose I must, Mr. Chairman, until the gentleman withdraws his amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

I first of all rise to support the Drug Demand Reduction Act of 1998, but I wanted to come to the floor and join my colleague, the gentleman from Massachusetts (Mr. KENNEDY), and also the words of the gentleman from Minnesota (Mr. RAMSTAD) on this very important issue dealing with alcohol.

As I look at the Drug Demand Reduction Act, I cannot disagree both with

my good friend the gentleman from Wisconsin (Mr. BARRETT) and the gentleman from Ohio (Mr. PORTMAN) that we have an obligation to again get back on the record with America dealing with a media effort to say no. Obviously, as we move from the Reagan era, I believe that we looked at other issues which this bill still does not address, and I want to mention those as I rise in support of the gentleman's amendment on alcohol.

First of all, I think a key element is treatment, and although this bill works very well with telling people what not to do, it is difficult not to match this with treatment. It also is difficult when I see the very large numbers. On that premise, the fact that this is a "say no" bill, I think the reasonableness of the Kennedy amendment makes so much sense.

Though we do not have hard liquor on our airwaves, we do have them on our billboards. And in my community in particular, in the 18th Congressional District in Houston, an inner city district, we have them on our radio programs. We have them hosting various good neighbor events. And let me say to all the good friends in the alcohol industry that I do not condemn them as public servants, but their message is everywhere.

If we are going to talk about eliminating the devastation of driving while intoxicated, whether an individual is intoxicated through drugs or through alcohol, I think it is important to match those enormous dollars with the recognition that alcohol is killing people in America. And to do that, it is likewise important to have an alcohol-free workplace. It is important to get teenagers not to drive while taking alcohol.

This subtitle C is a very important incentive to get teens to take a drug test and to determine that they are drug free. At the same time, I think it is key that we have the opportunity to do that with alcohol. Drug-free schools, drug-free prisons, this whole idea of anti-addiction medication is a unique provision that deals with the question of trying to get medicines not to be addictive, such as some of the over-the-counter medicines that appeal to those who take drugs, but they appeal also to those who take alcohol.

I would only say to the authors of this bill, it will be hard to say no to the bill, but I raise the question of concern of this very serious issue with the treatment question. I wish General McCaffrey would have come and we could have embraced an encompassing bill that talks about prevention and treatment. One of the reasons, of course, is that part of this whole aspect of drugs in inner-city communities. And this is not an inner city bill, I recognize this is a bill for America and I am supporting it, but there are unique concerns in our urban centers, and one of them happens to be HIV that happens to be transmitted by dirty needles. I wish General McCaffrey had been able to see the light on the dirty needles issue and that the Drug Demand Reduction Act could have included a viable policy that has been excluded.

And lastly, as I close, let me say it is important we not ignore, not ignore the devastation of alcohol and that we come again around the circle, whether it is General McCaffrey, or maybe we need a drug czar on alcohol. I am sorry to hear we might have had our friends in the alcohol lobby that disagree with us, because responsible drinking is important, but we cannot do it without the backdrop of explaining to people the devastation of drinking. Kids can go get 12 cans of beer, a six pack, let me not exaggerate, and be just as high as if they were using drugs.

So I would thank the gentleman from Massachusetts. I thank the proponents of this bill. I hope, Mr. Chairman, that we will come around to making this a complete bill in the years to come, but I do support the legislation.

Mr. Chairman, I rise to speak on behalf of this bill, which authorizes funds to be used to reduce the demand of drugs throughout the country through the use of innovative programs.

This bill represents a strong attempt to tackle the drug problem at its most important stage, the beginning. It includes a $195 million anti-drug media campaign, to further encourage our young children and teens to stay away from drugs.

H.R. 4550 also seeks to protect our children by instituting a voluntary drug testing program, to be used in conjunction with the issuance of driver's licenses to teenagers. This is an important element to this piece of legislation, simply because it places an extra, precautionary step in the process of giving a car, which we all know can be extremely dangerous in the hands of an intoxicated person, to a teenager.

Furthermore, this bill authorizes funds to be used by schools and non-profit parent groups for the purposes of reducing the use of drugs amongst children and teens. This measure is extremely important because it puts further power in the hands of the people that directly supervise our children—parents, and school authorities who stand in loco parentis.

Children are not the only beneficiaries of this bill. H.R. 4550 also includes a $10 million commitment to prevent the use of drugs in the workplace, and especially in small businesses. This is important because it gives small business owners incentive to enact some of the same programs and policies being used effectively by larger businesses and government entities around the country.

I also strongly support this bill because it shows a newfound committment to drug treatment. Treatment and recovery programs are crucial to fighting the war on drugs. Not only does it help stem the recidivism that plagues our criminal justice system, and therefore, save the taxpayers their hand earned money, it also stays true to the concept that we do not leave our wounded on the battlefield of this terrible war.

I firmly believe that to have a strong, comprehensive, and national drug policy, we must fully engage in efforts to prevent children and adults from wanting to take drugs in the first place. We must also extend our hands to help our fellow citizens whose momentarily lapse of strength has led them to drugs, and who want to recover to be participants in our society once again. I believe that this bill does all of those things, and urge you all to vote in favor of this bill.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 1 OFFERED BY MR. LATHAM

Mr. LATHAM. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. LATHAM:

Page 49, after line 19, insert the following:

TITLE IV—DRUG DEALER LIABILITY

SEC. 401. SHORT TITLE.

This Act may be cited as the "Drug Dealer Liability Act of 1998".

SEC. 402. FEDERAL CAUSE OF ACTION FOR DRUG DEALER LIABILITY.

(a) IN GENERAL.—Part E of the Controlled Substances Act is amended by adding at the end the following:

"SEC. 521. FEDERAL CAUSE OF ACTION FOR DRUG DEALER LIABILITY.

"(a) IN GENERAL.—Except as provided in subsection (b), any person who manufactures or distributes a controlled substance in violation of this title or title III shall be liable in a civil action to any party harmed, directly or indirectly, by the use of that controlled substance.

"(b) EXCEPTION.—An individual user of a controlled substance may not bring an or maintain an action under this section unless all of the following conditions are met:

"(1) The individual personally discloses to narcotics enforcement authorities all of the information known to the individual regarding all that individual's sources of illegal controlled substances.

"(2) The individual has not used an illegal controlled substance within the 90 days before filing the action.

"(3) The individual continues to remain free of the use of an illegal controlled substance throughout the pendency of the action.".

(b) CLERICAL AMENDMENT.—The table of sections for the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by inserting after the time relating to section 520 the following new item:

"Sec. 521. Federal cause of action for drug dealer liability.".

Mr. BARRETT of Wisconsin. Mr. Chairman, I reserve a point of order.

The CHAIRMAN pro tempore. The gentleman reserves a point of order.

The gentleman from Iowa (Mr. LATHAM) is recognized.

Mr. LATHAM. Mr. Chairman, as a member of the Speaker's Task Force

For a Drug-Free America, I commend my good friend, the gentleman from Ohio (Mr. PORTMAN), for providing a platform to address the national tragedy of drug trafficking and abuse. Unfortunately, this is a growing trend across the Nation. For years, the Midwest States thought themselves immune from the drug problems on America's coasts and in the big cities. However, that is no longer the case.

In fact, nowhere is the drug problem growing faster than in America's heartland. As the Speaker noted earlier today, my home State of Iowa is experiencing an unprecedented influx of methamphetamine from Mexico and regional clandestine laboratories.

Meth is as addictive as crack cocaine and the stimulation, or high, is sustained much longer. Violent crime, destruction of families, and the greater likelihood for damage to the fetus of a meth-abusing mother make this an epidemic that has much more severe monetary costs as well, creating additional problems and challenges for law enforcement and human service providers in the Midwest.

Drug-addicted babies are clearly the most innocent and vulnerable of those affected by illegal drug use and are often the most physically and mentally damaged due to the existence of the illegal drug market in a community. For many of the addicts, babies and adults alike, the only hope is extensive medical and psychological treatment, physical therapy, and special education.

All of these potential remedies are very expensive. These babies, through their legal guardians and through court-appointed guardians, should be able to recover damages from those in the community who have entered and participated in the marketing of the types of illegal drugs that have caused their injuries.

The amendment I am offering today, based on my bill H.R. 4204, The Drug Dealer Liability Act, is modeled after similar legislation recently enacted in the States of California, Arkansas, Illinois, Michigan, Utah, Georgia, Louisiana, Indiana, Hawaii, South Dakota and Oklahoma. The amendment is intended to provide a civil remedy for damages to persons in a community injured as a result of illegal drug use. These persons include parents, employers, insurers, health care and drug treatment providers, as well as drug-addicted babies. This amendment would enable them to recover damages from those persons in the illegal drug market who profited from their pain or loss.

It is my hope that the prospect of substantial monetary loss made possible by The Drug Dealer Liability Act would also act as a deterrent to entering the narcotics market. In addition, this amendment would establish an incentive for users to identify and seek payment for their own drug treatment from those dealers who have sold the drugs to the user in the past. While this legislation is not intended to be a silver bullet, it is another tool to combat and deter drug abuse and trafficking.

Today, in 39 States, it is not clear under established law that families who lose a child to drugs or a drug baby needing treatment and special education can compel dealers to pay for the injuries they cause. This is true even though in most States a producer of a product that injures a consumer can be liable for the injuries resulting from the use of that product. The Drug Dealer Liability Act fills the gap to make drug dealers liable, under civil law, for the injuries to the families of drug users.

The first lawsuit brought under a drug dealer liability law resulted in a judgment of $1 million in favor of a Michigan drug baby, and more than $7 million to the City of Detroit's expenses for providing drug treatment for the city's prison inmates.

In addition, this bill could fill a possible gap in asset forfeitures by law enforcement resulting from the decision handed down by the U.S. Supreme Court in June that may, under some circumstances, rule total forfeiture of a defendant's assets as an excessive fine under the eighth amendment's excessive fines clause.

Let us pass this amendment and give the victims of the illegal drug market an opportunity to hold the dealers of this poison accountable under criminal and civil law.

Again, I urge my colleagues to support the Latham amendment.

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from Wisconsin (Mr. BARRETT) insist on his point of order?

Mr. BARRETT of Wisconsin. Yes, I do, Mr. Chairman. It is not germane to this bill, and I cite clause 7 of rule XVI. The subject matter of civil liability is not broached by the underlying bill and, consequently, this amendment is not germane to the bill.

The CHAIRMAN pro tempore. Does the gentleman from Iowa (Mr. LATHAM) wish to be heard on the point of order?

Mr. LATHAM. Well, I will concede the point of order, Mr. Chairman. But, quite honestly, when we look at the entire situation we have, we have to find some way of holding people accountable for their actions.

I think this is an opportunity that we will be missing by this point of order to hold people who are destroying children, babies, people all over this country, with no consequences as far as their civil liability. They are able to profit. Unfortunately, I understand the point of order, but I think it really is very unfortunate that it be insisted upon.

The CHAIRMAN pro tempore. The gentleman concedes the point of order? Does any other Member wish to be heard on the point of order? Hearing none, the point of order is conceded and sustained.

Mr. NETHERCUTT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I was hoping to rise before the point of order was ruled upon to support the amendment offered by my colleague on the Drug Task Force, the gentleman from Iowa (Mr. LATHAM).

Under current Federal law, individuals who are injured by the Federal drug trade have only one remedy and that is criminal prosecution. The problem with this is that while the drug dealer goes to jail, the victim or victims have no personal civil remedy. The Latham amendment would have changed that. The gentleman's amendment introduced the concept of civil liability to the Federal drug code.

□ 1915

The amendment is modeled after civil liability laws in 11 States. In those States not only do the dealers face jail time, they open themselves up to civil judgments every time they sell drugs. Parents of drug users, drug babies, employers, health insurers and local governments in those 11 States now have legal standing to recover the negative costs associated with drug use. Under this law, as the gentleman from Iowa stated, the city of Detroit recently was awarded $7 million in damages for drug treatment expenses in its jails.

Mr. Chairman, earlier today we passed the Western Hemisphere Drug Elimination Act. I was a cosponsor of that bill because I believe we need to dedicate more resources to the interdiction of drugs before they get to the United States. But I also believe that Congress needs to focus more attention on reducing the demand for drugs stateside. One way to address the drug demand is to ensure that drug dealers are punished more severely, both criminally and personally. The Latham amendment does that. It says to the drug dealer that you will be held both criminally and civilly liable for the drugs you deal.

This amendment is not about abdicating the responsibility of the drug user. Under this amendment, a drug user could pursue a civil remedy, a civil suit against the drug dealer only if the user cooperates with authorities, has not used drugs within the 90 days prior to the filing of the lawsuit and remained drug-free during the duration of the lawsuit.

Mr. Chairman, the Latham amendment reduces the incentive for individuals to become involved in the drug trade. It was a good amendment. It is a good amendment. I would hope that it will receive further attention and widespread support.

Mr. PORTMAN. Mr. Chairman, will the gentleman yield?

Mr. NETHERCUTT. I yield to the gentleman from Ohio.

Mr. PORTMAN. Mr. Chairman, I, too, want to commend the gentleman from Iowa (Mr. LATHAM) for his efforts on the task force and also for his amendment today which I think would provide an additional reason for people not to get involved with drugs and it would be a powerful remedy for victims of drug abuse. I understand that the point of order has been sustained, but I wanted to add to what the gentleman from Washington (Mr. NETHERCUTT) said about the importance of this legislation. Perhaps we can work on it in the future.

Mr. SCOTT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, yesterday the majority decided to subvert the legislative process and turn a much supported and noncontroversial bill, the reauthorization of the National Center for Missing and Exploited Children, into a controversial bill grounded in bad juvenile crime policy. Today we find ourselves about to pass another allegedly noncontroversial bill, the Drug Demand Reduction Act, but without the opportunity for public review or comments so we cannot be sure whether it is controversial or not.

Yesterday when we passed the bill that increased the number of juveniles to be treated as adults, we ignored the fact that the adult time that the juveniles will get for their adult crime will for the affected juveniles be actually less time as an adult rather than more time as an adult.

We need to subject these ideas to public scrutiny and comment rather than basing our decision solely on soundbites. Needless to say, this bill has been introduced very recently. It was referred to the Committee on the Judiciary, the Committee on Commerce, the Committee on Government Reform and Oversight, the Committee on Small Business, the Committee on Education and the Workforce and the Committee on Transportation and Infrastructure, but none of those committees have had hearings. There has been no opportunity for our people to subject the bill to scrutiny. No input from criminologists or medical doctors or sociologists or victims or budget analysts. No opportunity to prioritize this spending as opposed to other ideas that people may have.

Because there might be some good ideas, I am going to vote for the bill, but it is no way to legislate.

AMENDMENT OFFERED BY MR. PORTMAN

Mr. PORTMAN. Mr. Chairman, I offer an amendment on behalf of the gentlewoman from New Jersey (Mrs. ROUKEMA).

The Clerk read as follows:

Amendment offered by Mr. PORTMAN:

Page 39, after line 8, insert the following the following subparagraphs:

(K) one shall be a representative of the American Psychiatric Association;

(L) one shall be a representative of the American Academy of Child and Adolescent Psychiatry; and

(M) one shall be a representative of the American Academy of Addiction Psychiatry.

Page 38, line 3, strike "10 voting members" and insert "13 voting members".

Page 39, line 6, strike "and" after the semicolon.

In section 211(g)(2), strike "the presence of" and all that follows and insert "the presence of 7 members.".

Mr. PORTMAN. Mr. Chairman, this is a very simple amendment to add to the Commission on Medical Education three psychiatric group representatives whose opinions and views will be very important to the commission. This commission is established under our legislation which in essence helps bring together the representatives from all the leading medical groups to help study and report on methods to enhance prevention, diagnosis and treatment of substance abuse by medical professionals through initial and continuing medical education.

Mr. BARRETT of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. PORTMAN. I yield to the gentleman from Wisconsin.

Mr. BARRETT of Wisconsin. Mr. Chairman, we have reviewed this amendment and it is acceptable to our side.

Mr. PORTMAN. I thank the gentleman. I appreciate his working with us on this. I think this is a very important aspect of the legislation to help medical professionals diagnose and treat addiction, and I think it is appropriate and important that we add the perspective of the psychiatric groups. I thank the gentlewoman from New Jersey (Mrs. ROUKEMA) for bringing this to our attention.

Mrs. ROUKEMA. Mr. Chairman, I am most pleased that Representative PORTMAN offered my amendment since a television interview preceded my being on the floor, my amendment would add three important groups to the Commission created in this bill that is charged with studying the role of medical education in reducing substance abuse.

The National Commission is responsible for making recommendations on how medical education can be improved to better respond to the needs of patients with substance use disorders.

My amendment would add the American Psychiatric Association, the American Academy of Child and Adolescent Psychiatry and the American Academy of Addiction Psychiatry to this Commission.

The American Psychiatric Association is the national medical speciality society representing more than 40,000 psychiatric physicians. Through education, training, and clinical experience psychiatrists are among those on the front lines of the diagnosis and treatment of substance use disorders.

The second organization, the American Academy of Child and Adolescent Psychiatry, is the national organization representing more than 6,000 physicians with at least 5 years of additional training beyond medical school in both general and child and adolescent psychiatry.

And the third organization, the American Academy of Addiction Psychiatry, is the national organization representing more than 1,000 board certified psychiatrists who have specialized in addiction psychiatry.

All three of these organization make vital contributions to the diagnosis and treatment of substance use disorders across the general population, as well as in particular at risk populations such as children and adolescents.

As a result, this Commission would be well-served to have the benefit of input from these three commendable organizations.

The CHAIRMAN pro tempore (Mr. GIBBONS). The question is on the amendment offered by the gentleman from Ohio (Mr. PORTMAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TAYLOR OF MISSISSIPPI

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Mississippi (Mr. TAYLOR) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 123, noes 281, not voting 30, as follows:

[Roll No. 443]

AYES—123

Aderholt
Bachus
Ballenger
Bartlett
Barton
Bilbray
Bilirakis
Bishop
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cunningham
Deal
Dickey
Duncan
Dunn
Ehlers
Emerson
Everett
Fawell
Foley
Fossella
Fowler
Fox
Franks (NJ)
Gallegly
Gibbons
Gilman
Goode
Goodling
Graham
Granger
Gutknecht
Hall (TX)
Hansen
Hayworth
Hefley
Herger
Hilleary
Hostettler
Hunter
Inglis
Istook
Jenkins
Jones
LaHood
Largent
Latham
LoBiondo
Maloney (CT)
McCollum
McHugh
McInnis
McIntosh
McIntyre
Metcalf
Mica
Miller (FL)
Myrick
Nethercutt
Neumann
Nussle
Packard
Pappas
Parker
Paxon
Pease
Pickering
Quinn
Radanovich
Riley
Rohrabacher
Roukema
Ryun
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sessions
Shadegg
Shaw
Shays
Shimkus
Smith (MI)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Talent
Taylor (MS)
Taylor (NC)
Thune
Tiahrt
Traficant
Turner
Upton

Walsh
Wamp
Watkins
Weldon (FL)
Weller
White
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOES—281

Abercrombie
Ackerman
Allen
Andrews
Archer
Armey
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Campbell
Capps
Cardin
Carson
Castle
Christensen
Clement
Collins
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Edwards
Ehrlich
Engel
English
Ensign
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frelinghuysen
Frost
Furse
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Goodlatte
Gordon
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Hastert
Hastings (FL)
Hastings (WA)
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
Lofgren
Lowey
Lucas
Luther
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDade
McDermott
McGovern
McHale
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Rush
Sabo
Sánchez
Sanders
Sandlin
Sawyer
Saxton
Scott
Sensenbrenner
Serrano
Sherman
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Strickland
Stupak
Sununu
Tanner
Tauscher
Thomas
Thompson
Thornberry
Thurman
Tierney
Torres
Velázquez
Vento
Visclosky
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)

NOT VOTING—30

Bateman
Blunt
Boswell
Brady (TX)
Clay
Clayton
Clyburn
Danner
Dicks
Fazio
Gejdenson
Gonzalez
Goss
Harman
Hefner
Horn
John
Lantos
Meeks (NY)
Peterson (PA)
Poshard
Pryce (OH)
Riggs
Schumer
Stokes
Tauzin
Towns
Waters
Wexler
Yates

□ 1943

Messrs. LINDER, LEWIS of California, BERRY, DIAZ-BALART and WATTS of Oklahoma changed their vote from "aye" to "no."

Messrs. PARKER, DICKEY, ADERHOLT, GILMAN, GALLEGLY, JONES, BARTLETT of Maryland and INGLIS of South Carolina changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1945

Mr. SOLOMON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, illegal drug use is the single most serious problem facing the United States and I am proud to support this bill which will reduce the demand for illegal drugs in this country.

Strong interdiction and law enforcement programs alone cannot win the war on drugs. We must possess an effective effort to reduce the demand for illegal drugs and I commend Mr. Portman for moving this very important bill.

This bill enhances the ability to test employees for illegal drugs.

This bill also improves the effectiveness of drug awareness programs in schools and ensures that the money we spend to make children aware of the dangers of illegal drug use is used wisely.

Illegal drug use is the common denominator in the problems facing America. Illegal drugs are the reason why our health care costs are so high—with emergency room visits from drug overdoses and the victims of drive-by shootings.

Thousands of babies are born each year addicted to illegal drugs and illegal drug use contributes to the rapid spread of AIDS.

Illegal drug use is also behind most of the violence in this country. Over 50% of all men arrested for homicide test positive for illicit drugs at the time of arrest and illegal drugs are a factor in half of all family violence, most of it directed against women and children.

Illegal drugs are also the single most serious problem facing America's educational system. It has always bewildered me how President Clinton can claim to be the education President when drug use by school age children has doubled since he was elected president.

There is an obvious connection between the increase in illegal drug use which has occurred since President Clinton first took office and the educational problems facing our nation.

Illegal drug use has doubled since this President took office and according to the most recent reports drug use is still on the rise among eighth graders.

A person who uses illegal drugs is five times more likely to drop out of school than a non drug user. Scientific studies show that illegal drugs—including marijuana—rob students of their motivation and self-esteem, leaving them unable to concentrate and indifferent to learning.

A recent study of 11th graders in our major cities showed that over half of the heavy drug users dropped out—twice the rate of those who are drug-free.

During the Reagan/Bush years drug use dropped, from 24 million in 1979 to 11 million in 1992. These hard fought gains were wasted by President Clinton.

There is not a parent in America who sends their children off to school without worrying that they will become exposed to illegal drugs. And it is not just teenagers anymore. Parents now need to be very concerned about 7th and 8th grade children getting involved with illegal drugs.

Today in America one third of all high school kids smoke marijuana.

Today, more than half of all high school seniors have admitted to using illegal drugs. Since President Clinton was first elected the trends of casual drug use for high schools students have reversed and increased for virtually every illegal drug, including heroin, crack, cocaine, LSD and marijuana. This rise in teenage drug use also correlates closely with rising violence in our schools.

A recent study has also shown that students with the lowest grades were four times more likely to use marijuana in the past month than those with the highest grade point average.

Since 1992, marijuana use has jumped 150% among 12 and 13 year old students and 200% among high school students. Nearly 1.5 million more middle school and high school students use illegal drugs than when President Clinton was first elected.

I repeat, you cannot claim to be a President who cares about the education of our youth and not care about the illegal drug problem in this country. And President Clinton has demonstrated by his words—or lack of words—and by his deeds that he is not serious about winning the war on drugs. And our school systems have the casualties to prove it!

I commend Congressman PORTMAN for his find work on this demand reduction legislation and ask my colleagues to support the bill.

The CHAIRMAN pro tempore (Mr. GIBBONS). Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DICKEY) having assumed the chair, Mr. GIBBONS, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4550) to provide for programs to facilitate a significant reduction in the incidence and prevalence of substance abuse through reducing the demand for illegal drugs and the inappropriate use of legal drugs, pursuant to House Resolution 538, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair would put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. PORTMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 396, noes 9, not voting 29, as follows:

[Roll No. 444]

AYES—396

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
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Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sánchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Traficant
Turner
Upton
Velázquez
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOES—9

Conyers
Dingell
Frank (MA)
Nadler
Obey
Paul
Scott
Skaggs
Waxman

NOT VOTING—29

Bateman
Bereuter
Blunt
Brady (TX)
Buyer
Clay
Clyburn
Danner
Dicks
Fazio
Gejdenson
Gonzalez
Goss
Harman
Hefner
Horn
John
Lantos
Meeks (NY)
Poshard
Pryce (OH)
Riggs
Schumer
Stokes
Tauzin
Towns
Waters
Wexler
Yates

□ 2006

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BLUNT. Mr. Speaker, on rollcall No. 444, I was inadvertently detained. Had I been present, I would have voted "aye."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 4550, DRUG DEMAND REDUCTION ACT

Mr. PORTMAN. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 4550, the Clerk be authorized to make technical corrections and conforming changes to the bill.

The SPEAKER pro tempore (Mr. GIBBONS). Is there objection to the request of the gentleman from Ohio?

There was no objection.

GENERAL LEAVE

Mr. PORTMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4550.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

APPOINTMENT OF CONFEREES ON S. 1260, SECURITIES LITIGATION UNIFORM STANDARDS ACT OF 1998

Mr. OXLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1260) to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law, and for other purposes, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio? The Chair hears none and, without objection, appoints the following conferees: Messrs. BLILEY, OXLEY, TAUZIN, COX of California, WHITE, DINGELL, STUPAK, and Ms. ESHOO.

There was no objection.

PERSONAL EXPLANATION

Mr. GREEN. Mr. Speaker, because of the visit from Energy Secretary Bill Richardson in my district, I missed roll call votes 426 to 430. Had I been present, I would have voted yes on roll call 426; yes on roll call 427; yes on roll call 428; yes on roll call 429; and yes on roll call 430.

ANNUAL REPORT OF THE COMMODITY CREDIT CORPORATION, FY 1996—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Agriculture:

To the Congress of the United States:

As required by the provisions of section 13, Public Law 806, 80th Congress (15 U.S.C. 714k), I transmit herewith the report of the Commodity Credit Corporation for fiscal year 1996.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 16, 1998.*

ELECTION OF MEMBER TO COMMITTEE ON SCIENCE

Mr. PALLONE. Mr. Speaker, at the direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 540) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 540

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives: Committee on Science, Mr. Sherman.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. GIBBONS). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

ENFORCING SECTION 907 OF THE FREEDOM SUPPORT ACT OF 1992

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. ROGAN) is recognized for 5 minutes.

Mr. ROGAN. Mr. Speaker, the United States has a two-centuries old tradition as the standard bearer of freedom, democracy and the promotion of human rights abroad. When the liberty of men and the expression of their ideals have been threatened, our Nation has waged political, economic and military battles against the oppression. We in Congress must be mindful of this obligation and continue to enforce the Freedom Support Act of 1992.

For 9 years, the government of Azerbaijan has enforced a cruel and inhuman blockade of Armenia and Nagorno Karabagh. This embargo is still in effect today. As a result of the economic choke-hold, a bipartisan group of legislators included a provision to the Freedom Support Act known as section 907. This clause prohibits U.S. aid to Azerbaijan until its government takes steps to lift the blockade.

Mr. Speaker, tomorrow the House will consider the Foreign Operations Appropriations bill. This measure includes language that will repeal section 907, thereby lifting U.S. sanctions against those who chose to block the free market expression and expansion of other nations. I urge my colleagues to reconsider striking this important provision.

We in Congress have an obligation to the Constitution and to our own conscience. We must do our duty to promote the cause of democracy, while sending the message that human rights violations and actions that compromise the expansion of democracy simply will not be tolerated.

□ 2015

PRINCIPLED LEADERSHIP IN AMERICA

The SPEAKER pro tempore (Mr. GIBBONS). Under a previous order of the House, the gentleman from Michigan (Mr. HOEKSTRA) is recognized for 5 minutes.

Mr. HOEKSTRA. Mr. Speaker, I want to take a few minutes tonight to offer my perspective on the importance of principled leadership in America today.

It is always helpful to reflect on lessons learned from the rich history of our country. We have thrived as Americans because of the principles upon which our Nation was founded: truth and justice, freedom and responsibility. These principles are sacred. They are inspired and they represent eternal significance.

Truth has always been the cornerstone of a civilized Nation. Justice and the rule of law are essential for those who want to live together in peace. And freedom, of course, depends upon personal responsibility. If we really think about it, this is what America is all about and we are nothing without it.

If we do not stand for truth, then by our silence we condone lies. If we do not stand for justice, then by our silence we condone injustice.

The struggle to preserve these American ideals has taken place on battlefields around the world and it is a struggle that takes place each and every day in America in our homes, in our workplaces, and in our courts.

Parents do their best to teach their children to be honest and trustworthy. Moral behavior is important to parents across America. This does not mean that we are perfect. It does mean we want our children to grow up with a sense of how important the truth is and how damaging immoral behavior can be, how damaging it can be to our children and to others.

Truth and justice are also very important in the American workplace. Relationships between men and women in the workplace have become more and more complicated. Sexual relations between employees, particularly between supervisors and employees, which in times past might have remained secret, today have become more public. Why? Because there are times when these relationships impact justice and fairness in the workplace.

If a workplace sexual relationship results in a promotion or a demotion, or involves using peers or subordinates to facilitate, conceal, or lie about a relationship, it is no longer a private matter. It involves basic justice and fairness in the workplace. Which leads me to one of the key battlefields for truth and justice in America: That is the courts.

Lying under oath is a serious crime, so serious that it is a felony under Federal law. Since Bill Clinton became President in 1993, 323 Americans have been sentenced to prison in United States District Court for committing perjury. These 323 Americans have been sentenced to an average of 2½ years in Federal prison.

Why is lying treated so severely under Federal law? Because justice is at stake. We want our citizens to respect the law and not trivialize it. Honesty is so important, it simply cannot be brushed aside. Without honesty and trust, the whole system begins to break down.

Mr. Speaker, in the past several weeks I have heard over and over again from some people that we should simply forgive bad behavior and get on with the business of the country. The truth is, when some people say we should forgive bad behavior, they are really asking us to tolerate bad behavior. There is a world of difference between the two. Forgive? Yes. Tolerate? No.

There are those who are hoping that the things we are going through today will make us stronger. But to claim that somehow this is good for America is just plain wrong. Can we learn from this situation? Yes. But the cause of the damage cannot be relied upon to lead us through the healing process.

The time has come for President Clinton to resign. If he is unwilling to do so, there is a constitutional process to address the matter at hand. I have every confidence that my colleagues and I can and will work to ensure that respect for truth and justice will ultimately prevail.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON THE BUDGET REGARDING REVISIONS TO THE ALLOCATION FOR THE HOUSE COMMITTEE ON APPROPRIATIONS PURSUANT TO SECTION 2 OF HOUSE RESOLUTION 477

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. KASICH] is recognized for 5 minutes.

Mr. KASICH. Mr. Speaker, pursuant to Sec. 314 of the Congressional Budget Act of 1974, I hereby submit for printing in the CONGRESSIONAL RECORD adjustments to the 302(a) allocation for the House Committee on Appropriations, pursuant to section 2 of House Resolution 477, of $3,713,000,000 in additional new budget authority and $21,000,000 in outlays for fiscal year 1999.

As reported by the House Committee on Appropriations, H.R. 4569, a bill making appropriations for Foreign Operations, Export Financing, and Related Programs Appropriations Bill for Fiscal Year 1999, provides $3,361,000,000 in budget authority and $0 in outlays for the international Monetary Fund and $352,000,000 in budget authority and $21,000,000 in outlays for arrearages for international organizations.

These adjustments shall apply while the legislation is under consideration and shall take effect upon final enactment.

Questions may be directed to Art Sauer or Jim Bates at x6–7270.

MAMMOGRAPHY QUALITY STANDARDS REAUTHORIZATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FOX) is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I rise tonight to address an important topic, that is that we want to make sure that we eliminate breast cancer in our lifetime.

Mr. Speaker, studies predict that one in nine women will develop breast cancer in the course of their lifetime. Breast cancer is the second leading cause of cancer deaths among American women. Last year, approximately 44,000 women died from it.

Mr. Speaker, the best hope women have to detect breast cancer and ultimately survive is a screening mammography, an X-ray procedure that can detect small tumors and breast abnormalities up to 2 years before they can be detected by other means. Congress wisely enacted the 1992 law to promote the use of mammograms.

Over 90 percent of the cases of breast cancer in these early stages can be cured. The original bill required that mammography facilities use only radiological technologies and equipment designed for mammography; use only qualified physicians able to interpret mammogram results; establish quality assurance and control programs to assure the reliability, clarity, and accurate interpretation of mammograms; to undergo inspections by qualified inspectors on an annual basis; and be subject to accreditation by a Health and Human Services-approved organization.

Mr. Speaker, the Centers for Disease Control and Prevention, CDC, reports that among women aged 50 and older, the proportion receiving mammograms in the past year has increased from 26 percent to 57 percent. Among women aged 40 to 49, the increase over the past 2 years was from 59 percent in 1990 to 66 percent in 1995.

So I commend the House this week for approving legislation that I support, which is the Mammography Quality Standards Reauthorization Act, which establishes national uniform standards for mammography and adds the following key provisions this year:

It clarifies the responsibility of the mammography facility to retain mammogram records for at least 5 years, or at least 10 years if the facility performs no subsequent mammograms, in order for women to obtain their original mammogram; it establishes that both State and local government agencies have inspection authority; and, it ensures that patients and referring physicians will be advised of any mammogram facility deficiencies; and, requires that direct patient notification be written in layman's terms.

Mr. Speaker, in conclusion, we can cure breast cancer in our lifetime, but we must encourage our grandmothers, our mothers, our wives, our sisters and daughters to get annual mammograms and continue our work to double the NIH budget, the National Institutes of Health, so we can have the research, the education, and the testing so that we can cure breast cancer in our lifetime.

PRESERVING SOCIAL SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, tonight I want to discuss the need to strengthen Social Security for the long term. I just wanted to say that I think a lot of people are not aware of how successful the Social Security program has been.

Of course it was created by Franklin Roosevelt quite a long time ago in the wake of the Great Depression, but it has been our most successful domestic program in the Nation's history.

Just to give some examples, Social Security has kept millions of retired seniors from living in poverty by providing a guaranteed cash benefit with a lifetime protection against inflation. For about two-thirds of beneficiaries, Social Security provides about half of their annual income; and, for 30 percent of beneficiaries, Social Security provides 90 percent of their annual income.

Social Security is the only source of income for one in every six older Americans. And in large part, Social Security relieves today's workers of the economic burden of supporting their aging parents.

In addition, the comprehensive benefits provided by Social Security saves millions of families from financial disaster in the event a worker's death or disability. Finally, 39 percent of all Social Security benefits are paid to workers who become disabled, survivors of deceased workers, and spouses and children of retired and disabled workers. So this, again, is our most successful program in the Nation's history.

That is why I think that it is so important that all Americans be aware of what the Republican leadership wants to do with the projected Federal surplus. They are supposed to vote on this in the House Committee on Ways and Means as early as tomorrow. I think that young people and seniors alike should be concerned with the Republicans' intention to use budget surpluses for tax cuts, instead of saving that money until we have developed a way to protect Social Security for the long term.

What we are hearing from the Republican Leaders that is going to be voted on in committee tomorrow is a tax cut plan that would cost $80 billion. That sum is so large that it could not be financed without dipping into the budget surplus, which incidentally we do not even have. We have not seen it yet.

We talk about, and the media talks about a budget surplus, but we do not really know exactly what it consists of or whether it is real. The CBO, the Congressional Budget Office, in fact estimates that were it not for a surplus in the Social Security trust fund, the total Federal budget for this year would indeed be in a deficit.

So what we really know is that without the application of the trust fund, the money from the Social Security Trust Fund, in fact, there would be no surplus at all. That is why we need to guard against what the Republicans are proposing to do tomorrow. I will explain it a little more, and I have the gentleman from Texas (Mr. GREEN), who is going to join me as well.

Mr. Speaker, as many people are aware, and I hear this a lot at town hall meetings and the senior forums that I have in my own district, particularly during the August recess, the Federal Government uses the surplus in the Social Security Trust Fund to fund other government programs. In effect, the government borrows from Social Security. So if there is excess money or surplus in the Social Security Trust Fund, it is essentially lent to the Federal Government and the Federal Government uses it for other purposes.

Now, it seems only logical then that when the Federal budget realizes a true surplus, in other words when the general revenues are in surplus, that that surplus be used to pay back what has been borrowed from Social Security. That is what Democrats have been saying ever since we realized that the Federal Government may have a surplus sooner that was expected.

Let me say again in a few more words that when we passed the Balanced Budget Act last year, we did not anticipate that there was going to be a surplus for some time. But because the economy has been good this year on an annual basis, we understand that there may in fact be a surplus. But that is only in general revenues. That has nothing to do with the Social Security money that people pay, wage earners pay in their taxes on a regular basis when they earn a certain income.

So even though there may be a slight surplus in general revenues at the end of this year, we have borrowed so much money from the Social Security Trust in the past, and we will continue to do so this year, that that little surplus in general revenue does not make up for the money that we have borrowed from the Social Security Trust Fund.

So what we are saying is that if we add that money borrowed from Social Security, in effect we have no surplus since we have to pay that money back. Whatever money is generated annually through general revenues should be applied ultimately to pay back what is owed to Social Security.

Back in January, the President said in his State of the Union address that he believed that Congress should not touch whatever surplus and revenues are generated this year until lawmakers come up with a plan to shore up Social Security for the long-term. We know that 20 years from now, there is not going to be enough money in the Social Security Trust to pay the beneficiaries at that time because a lot more younger people, the baby boom generation, will be retiring at that point and we will need more money in the Social Security Trust Fund. In addition to that money, that has to be paid back. The President believes, as I do, that protecting Social Security should be a bipartisan goal and he recently made a radio address stating that Republicans and Democrats alike must maintain fiscal discipline, setting aside the surplus until we save Social Security.

Let us talk a little bit about this bill. A number of my colleagues and I, going back to February after the President's State of the Union address, a number of our Democratic colleagues back then in February introduced H.R. 3027. This establishes a fund called the "Save Social Security First" reserve fund to hold all Federal budget surpluses.

□ 2030

It literally says the funds shall be used to save budget surpluses pending Social Security reform.

This is a very simple bill that was introduced by a lot of the Ways and Means members back in February. And if the Republican leadership would just bring this bill up on the floor tomorrow, which they could do, then we could easily pass it, it could be signed into law, and we would know for sure that any action that was taken in terms of taxes or spending would, in effect, require first that the surplus go into Social Security.

Obviously, the Republicans are not bringing up that bill and, instead, what we are hearing is that they are going to bring up this tax cut that is going to cost the surplus $80 billion. And that, of course, will really have an impact on the Social Security Trust Fund because it will mean that we have $80 billion less that we can apply towards Social Security.

I would like at this time, there is a lot more that I could say on this, but I will at this time yield to my colleague, the gentleman from Texas (Mr. GREEN), who has expressed concern about this issue before on the floor, and who is here with me tonight, so we can try to get a little more light on this subject to the American people and our colleagues.

Mr. GREEN. Mr. Speaker, I want to thank my colleagues from New Jersey for requesting this time tonight. I know it is 8:30 on the East Coast, but it is 7:30 in Texas and our folks are just getting up from the dinner table, so we can let them know what is happening in Congress. I heard some of my colleagues in earlier 5-minute special orders, and I agree that truth and righteousness should have the first place in our society and our halls of Congress and our Government. But what I am concerned about is all the smoke and the fire on what is happening with the President's problems may be masking what may be happening over the next week or 2 here with this tax cut bill that comes up.

I am glad the gentleman pointed out that there really is no budget surplus; that until we pass legislation to remove the receipts of Social Security from the unified Federal budget, that we will not have a surplus because Social Security receipts, those that are paid in by employees and employers, are part of the general revenue, supposedly, of the Federal Government, even though it cannot be used for our other programs. So it is masking the deficit.

Sure, we have a balanced budget using funny numbers. Or we have a surplus this year, at the end of this month, using funny numbers, but the American people ought to deserve the truth. We talk about truth from the President, let us tell them the truth here.

In fact, I remember when our Republican colleagues were not in the majority that there was a bill that they were talking about that would remove the Social Security Trust Fund from the budget. I agree with that. In fact, why do they not bring that bill up tomorrow? They could do it without committee meetings or committee hearings. They have done that so often this year with bills anyway. We can bring a bill up that removes the Social Security receipts from the Federal budget and we will have actual honest budgeting.

That would be a great bill, and I would hope that we would have a majority on each side to pass it, and the Senate, and send it on to the President. Maybe that is the honesty we need to have on ourselves and to say let us be honest with the American people about the real Federal budget deficit, or the Federal debt.

We talk about a surplus this year. The economy is good. More people are paying taxes, welfare rolls are down, and that is great, but it is masking the Federal deficit for this year because of Social Security receipts. It is not honest budgeting and we ought to fix it. I am saying that as a minority member because I cannot bring up a bill on the floor of the House, but my Republican colleagues can, and so they ought to do that.

I have town hall meetings, like everybody else does, and I have heard even my Republican colleagues and leadership about how they want to safeguard Social Security first and to pay down the debt. I agree with that. Why do we not do that? Why do we not give a tax cut? They say, well, we are going to give two-thirds to Social Security. That is not the case. That is smoke and mirrors, because that money, until we actually have an honest Federal budget, that money is Social Security. That money is Social Security receipts that is being paid for by employees and employers so they will have a retirement income. Maybe not enough to buy them a Cadillac but maybe enough to buy them a used Chevy when they retire.

Social Security was established 60 years ago after our Great Depression to combat poverty and, most importantly, to protect the elderly. Today, two-thirds of our elderly rely on Social Security to keep them out of poverty when they retire. It is estimated that 44 million workers and their families across the country receive Social Security benefits. Knowing the vital role it plays in our lives and many Americans, how can we even consider risking its future?

We have this surplus, the first one on an annual basis since 1969, although, again, it is masked. In 1969, we did not include Social Security receipts into the Federal budget. Sometime in the seventies, Congress did that to mask

the Federal deficit. And now, because we have that, that is the first step we ought to make instead of giving tax cuts, even with smoke and mirrors by saying two-thirds is going to the Social Security, because it is not. Every penny we take out is taking away from the Social Security Trust Fund.

In 1993, we recognized that the financial solvency of Social Security would be a major challenge. And that is when we were in the majority, by the way. We also recognized that in order to protect its financial security we had to balance the budget. Fortunately, today, we are closer to that balanced budget and are, hopefully, heading in the right direction. But to say that we have a surplus and so let us go shopping is really outrageous.

And that is, I think, the truth and honesty that we are worried about in our country. We need to have truth and honesty on the floor of this House and when we are talking to our constituents and the American people about what is being done with their tax dollars and these budget gimmicks that we are living with today.

According to my Republican colleagues, we have a surplus. Does that mean we can then provide tax cuts while at the same time continuing to borrow from Social Security, which is what we are doing? I am not a mathematician, but I know that if we borrow money, it is because we do not have that money left over to pay our bills. So we are continuing to borrow from Social Security.

In my district, the average income is a little over $20,000 a year. Few of them will benefit from the proposed tax cuts, but many of them would be devastated if they lost their retirement income in Social Security. Let us not kid these people. Let us not say that we are safeguarding Social Security with two-thirds of this imaginary surplus, because every penny of that is Social Security money masked and it is hidden. Again, I think we need to have some truth in taxation, truth in tax cutting, and we have a responsibility to save Social Security first.

We have a responsibility to continue our efforts for a balanced budget. We have no right to risk the retirement future not only of my father, who is 83 years old, but also of the generation who are 50, and 40 today, or the generation of individuals who are 30 and 40 who are paying into Social Security not only for their parents and their grandparents but also for their income so they will not be destitute when they retire. This means putting 100 percent of this surplus into the Social Security Trust Fund.

I remember my colleagues on the other side agreeing that their first priority, again, was to save Social Security. Well, now we hear, and we do not know what the bill may say until the bill comes out of the Committee on Ways and Means, but now they are saying, well, it is our first priority, that two-thirds of this will go to Social Security. It is not two-thirds of it. All of it should go to Social Security because it is Social Security receipts that they are giving back as tax cuts.

Again, what worries me is that in the year 2020 or 2029, when we say we will run out of money, we may have to reduce Social Security payments in 2020. I wonder how many people will look back at 1998 and say if the Republican Members of Congress had made some financially correct decisions, then we would not be in the shape we are today. I do not want to wait until 2020, because I may not be here, and neither will the gentleman from New Jersey, and, frankly, most Members of Congress may not be.

We need to make some reasonable decisions today and this week and before October. And again I call on my colleagues, instead of worrying about tax cuts, and I would like to have a tax cut, I would like to get my constituents a tax cut. That would be great. There are some things in that bill, I have heard, that actually is a bill that I introduced to give tax reductions for people who pay their insurance premiums when their employer may or may not provide insurance, may not provide their whole insurance premium. I would like to see that happen, but I would like to see it without jeopardizing Social Security, and that is what I worry that my colleagues on the Republican side are doing. They are willing to take the money and run and mask this deficit in smoke and mirrors, and that is what I worry about.

If we see that they are committed to putting Social Security at risk, they are playing with the lives of those individuals who have already paid into the system. Americans pay into the program and they have the right to rely on that for their retirement. Our first priority should be to strengthen Social Security and protect its solvency. We cannot do this without a real balanced budget. And I say a real one, not one that is using Social Security receipts to mask the budget deficit.

I am proud that this year, for the first time since the 1970s, we actually will have a balanced budget. But, again, it is not a balanced budget. There is no surplus until we not consider Social Security receipts. Again, I ask where that bill is.

I saw a poll that was mentioned today in Congress Daily that said 41 percent of the people surveyed would prefer to put all surplus funds into the Social Security Trust Fund. Another 28 percent would pay off the Federal debt. So 41 and 28, and only 23 percent favored using the money for tax cuts. But, again, when we ask another question and say, okay, wait a minute, if we have a surplus and two-thirds of the surplus goes to Social Security do you support it then? That question was badly worded because they did not say it is not real surplus, it is Social Security receipts that is causing that surplus and it is not honest budgeting.

So this poll our colleagues may be relying on may get a surprise when they see "the rest of the story", as Paul Harvey says; that over 70 percent of the American people want Social Security saved first and then pay down the deficit.

We have a $5 trillion debt that has been built up over the last 50 years, and yet we are not going to pay any part of that on the deficit. Again, we can only provide our own experiences in the real world, whether it is the gentleman's own personal life or the business that I help run. If we had a good year, we tried to pay off some of our equipment that we had borrowed on. Same thing. If we have a real surplus, let us safeguard Social Security first and then let us start paying down that $5 trillion plus debt that exploded in the 1980s when Congress gave tax cuts and increased spending at the same time. Bad fiscal management.

Let us do not make that same mistake in 1998 and try to have our cake and icing before we actually take care of the meat and potatoes of people's security in their retirement.

With that, I thank my colleague. I see my colleague from the Midwest is here, and I know it is good tonight to be able to talk about this, but I will be glad to thank my colleague for yielding the time to me.

Mr. PALLONE. Let me first thank the gentleman from Texas for the comments that he made. I would like to yield to the gentleman from Wisconsin, but let me, if I can, comment briefly on what the gentleman from Texas said, because I think it is so important.

The gentleman stressed how we were so successful and it took so long to get to the Balanced Budget Act, which was passed last year, and I think it is, in part, because of that and because we are not creating more deficits that our economy continues to be strong. Because I believe very strongly, I do not know what economists I can cite for it, but I am sure there is a lot of commentary to suggest that as we continued to build these deficits in the last 10 or 20 years, it had a negative impact on the economy. I think that a good part of the reason why the economy is doing well is because the Balanced Budget Act was passed and we are not creating more deficits.

But we have to go further with this because the bottom line is that we still have this money that is owed to the Social Security Trust Fund. And when that has to be paid back, and it has to be paid back with interest, the money has to come from somewhere, and I am concerned. And the gentleman talked about a good economy. We have to deal with this problem about how to pay

back this money over the long term, which really has not been addressed yet.

In fact, if the economy gets worse, future generations may have to pass a tax increase to make sure they are paying the money back to the Social Security Trust Fund for the benefits to be there in 10, 20, 30 years when the need arises. What are the consequences if we do not have the money to pay back? And there may not be the will to pass a tax increase to pay for that in a few years. Then what happens to the benefits? They may not be there. They may cut back on the benefits as an alternative.

So this is really crucial in terms of where this Social Security program goes. We need to put that surplus in there to make sure that we are paying back this borrowed money, otherwise it may not be there for future generations.

I think the gentleman made the point well when he said that this is the time to think about it, when the economy is good, and not to just go head over hog in dealing with some tax relief program that puts us further into debt and does not solve the Social Security problem. So I just wanted to thank the gentleman again for that input.

I would like to yield now to the gentleman from Wisconsin (Mr. KIND).

□ 2045

Mr. KIND. Mr. Speaker, I thank my friend from New Jersey for yielding.

I want to commend both of my colleagues here tonight for staying this evening and talking about an issue that is incredibly important for the future of the country. We are at a pivotal moment as far as fiscal policy is concerned as a Nation. This time of year when it comes down to budget crunch time and the passing of the 13 appropriations bills, some crazy things happen. Although I am a new Member, I have had a chance to live through one budget cycle already and it is very discouraging to hear some of the comment, some of the talk that is happening, especially what might occur tomorrow in the Committee on Ways and Means, the tax-writing committee in this House, in regards to the tax cut and how that tax cut is going to be paid for.

When I was running for Congress and wanted to serve and represent the people in western Wisconsin, I made a promise to them then that I was going to be a fiscal watchdog, that I was going to keep an eye on their tax dollars and try to make fiscally responsible decisions. One of the proudest moments I have had so far as a freshman in this 105th Congress was the hard work that all of us put in, a lot of Members on both sides of the aisle, in negotiating a good bipartisan balanced budget agreement that we were finally able to come to agreement on last year that set a good blueprint for the next five years on fiscal decisions and tax policy in this country. It amazes me as a new Member that no sooner is the ink dry on those type of agreements that there are proposals out there that would virtually violate all the hard work and all the effort that went into reaching that agreement. That is what is coming up right now with this tax cut proposal. I think it could be incredibly harmful for the country.

Mr. Speaker, let me just amplify a few important points that the gentleman from New Jersey and the gentleman from Texas (Mr. GREEN) were talking about earlier. First of all, and the American people get this. The people back home on the main streets in Wisconsin, they get this. There is no budget surplus, not unless we are going to continue with the fraud and the tricky accounting procedure that has been perpetrated on the American people over the past few years about robbing from the Social Security trust fund in order to finance other government operations or tax cuts within the budget. They understand that. That is why they get a kick when I am back home talking about fiscal issues, they get a kick about all this talk about budget surpluses for the next 10, 15 years or so. They all know that there is this robbery going on with the Social Security trust fund. We need to take that off-budget, we need to set that money aside to anticipate the baby boomer generation that is going to start retiring early next century and we need to stop these budget accounting games that are going on right now. They find it funny that there is all this talk about a surplus. They are very supportive of protecting that trust fund in order to bolster and shore up the Social Security system.

It is amazing that the proponents, the advocates of this $80 billion or so tax cut that is going to work its way through the Committee on Ways and Means are admitting that what they are going to do is finance at least part of that tax cut by continuing to rob from the Social Security trust fund. That is just plain wrong. It is misguided policy. But at least they are acknowledging the fact that they are going to do that. They are up-front with the American people. I guess that is what elections are all about, surrounding issues such as this.

Another point that the gentleman from New Jersey already raised, that is, that the Social Security trust fund is there, not only to protect that and if we can move it off-budget, that is great, but by moving it off-budget, what we would in essence be doing, starting to pay back the $5.5 trillion national debt that has been accumulated throughout the many years of this republic. There is a golden opportunity that we face right now in order to do that, in order to get the trust fund off-budget and start going to work on paying off that $5.5 trillion national debt. It is an amazing price tag that we pay every year on just interest payments on that national debt. It is the third largest spending program in the Federal budget of roughly $250, $260 billion every year going to pay the interest payments on our national credit card for this $5.5 trillion in debt.

We face a great opportunity to do right with our senior citizens in the country, by protecting the Social Security system, but also by doing right for our children and grandchildren and future generations by starting to tackle this $5.5 trillion national debt, rather than trying to pass some election year tax cut gimmick. Because everyone knows that in an election year, people love to hear about tax cuts. But hopefully the American people are going to see through this, I am confident they are, because they already get the budget gimmick that is going on with the trust fund already and they are going to say no. They are going to agree with the President in his State of the Union address and what he has said consistently from day one on this issue, that is, not a new nickel, not a new dime for any new programs or any new tax cuts until we first shore up the Social Security system. I think that is a very wise and prudent policy.

Finally, the third point I want to raise, and again the gentleman from New Jersey touched on this, is that there is no guarantee that we are even going to see this surplus materialize over the next five or 10 or 15 years as CBO is attempting to calculate right now. It is very hard to calculate with any accurate projection what the fiscal numbers are going to look like a couple of months from now, let alone five or 10 years. When you wake up, America, and start taking a look around us and the international financial crisis that we are facing right now, I think that this highlights the concern that many economists have in this country that things can slow down dramatically as far as economic growth and productivity in this country because of the impact of the financial crisis in Asia and in Russia and in eastern Europe and the domino effect that that might have. We are seeing some very disturbing signs now in Latin America and in South America. All this is going to have an impact on the U.S. domestic economy as well. One-third of the growth that we have experienced over the past few years in this country has been export-related. If those markets dry up because of the financial crisis in those countries, that is going to have a tremendous slowing effect. The revenue projections are going to get thrown way off. But if we this year in an attempt to please voters in an election year try to pass this tax cut gimmick, then we are locked in on that. Everyone knows it is going to be virtually

impossible to have to increase revenues at some later date to make up for a shortfall. We may have a repeat of what happened during the early 1980s. Our memory is young enough to remember what happened then when the Reagan administration came in and promised huge tax cuts that did pass in the first year of his administration, but the problem with that economic package was those tax cuts were not offset in the Federal budget. In fact, spending increased, primarily in defense-related projects. When you have a shortfall in revenues because of the tax cuts and an increase in spending, that led to the annual structural deficits that happened throughout the 1980s, early 1990s and now fortunately in this administration we have had six consecutive years of deficit reduction, we are heading in the right direction, we are starting to make the corner when it comes to true fiscal responsibility and doing right with the Social Security program, having a chance to pay back the national debt.

I read the other day that roughly 83 percent of the entire national Federal debt that we have today, the $5.5 trillion, roughly 83 percent of that was accumulated during the 1980s and early 1990s. This is a relatively new phenomenon in our Nation's history that we are laden with this very heavy national debt, we are paying this exorbitant national interest rate every year in the Federal budget, $250 billion every year in the budget to help finance the national debt. If we go down this road again, if we are going to be willing to take our chances with the economy with so-called surpluses and projected surpluses over the next five and 10 years, we could very easily find ourselves slipping back into those annual structural deficits again. That would be disastrous.

Two of the most credible voices when it comes to monetary and fiscal policy in this country today, Secretary Rubin of the Treasury Department and Alan Greenspan, Chairman Greenspan of the Federal Reserve, are in agreement on this issue. Both of them are on record. Chairman Greenspan and Secretary Rubin were just on Capitol Hill again today but both of them are on record as saying we need to be extremely cautious in how we deal with this so-called budget surplus. Obviously Secretary Rubin is in agreement with the President when he says no new tax cuts, no new spending coming out of the surplus until we first protect the Social Security program. Chairman Greenspan has reiterated time and time again when asked by Members of Congress in the Senate and the House what would be the best use of the surplus, and he said, "Let me tell you what you shouldn't do." This was about a month and a half ago when he was testifying on Capitol Hill. "What you shouldn't do is start spending the so-called surplus on any new programs or any new tax cuts before that surplus materializes." That was a point he has emphasized again and again and again. In fact, he is on record as saying the best use of any surplus, if you call it a surplus, is to start paying down this $5.5 trillion national debt, because of the economic activity that it is going to generate, the increased investment in capital, the increased production we are going to get out of the American workers by investment activity because it is going to lead, he said, to a lowering of long-term interest rates by the Federal Reserve. That ultimately is the big tax cut that everyone is going to benefit from. If we can maintain fiscal discipline, if we can continue reducing the deficit and move the trust fund off-budget, start paying back the $5.5 trillion national debt, that is going to give confidence in our financial markets, it is going to give confidence in the Federal Reserve Board to lead them to reduce long-term interest rates even further which is going to be a boon to the economy with increased investment and productivity, but also any American that has a credit card, that has to make house payments or car payments, are going to realize savings because of reduced interest rates. That is really where we should be going with our fiscal policy in this body, not jeopardizing the future of the Social Security program and the future of our children by hoping these surpluses are going to materialize. That would be disastrous.

Finally, let me just comment on some feedback that I received from the constituents in western Wisconsin who are very fiscally conservative. That is why I have so much fun representing them, because I come from the same cloth, I come from the tradition of Senator Bill Proxmire who was a fiscal hawk in the Senate for decades before that term was in vogue, before anyone was real concerned about deficits and Federal spending. I did a survey earlier this year asking my constituents what they think would be a wise use of the so-called budget surplus. The response was overwhelming, over 4,000 people responding on this simple survey back in the district. Over 80 percent of them, of my constituents said before we spend a nickel on a new program, before we have a nickel go to a tax cut, let us first shore up Social Security and start paying down the national debt. That was a very loud, a very resounding statement that the people at least in Wisconsin were sending to this representative in this body. I would hope that Members now pushing for this tax cut wake up and finally get that message from the rest of the American people because I do not think Wisconsin is all that different from what the average working person in this country is thinking in regards to these so-called surpluses.

Mr. PALLONE. Let me say to the gentleman that what he said about Wisconsin is certainly true in New Jersey. I had over 20 town meetings, forums during the August break. Particularly senior citizens are very much aware of the fact that we do not have a surplus because we are borrowing from Social Security and feel the same way, along the same lines that you have articulated. The other thing I wanted to say and I think is very important that you raised which really has not come up from what I have heard from the Committee on Ways and Means, certainly not from the Republicans who are pushing for this tax cut, is that we not only have to worry about the Social Security money that has to be paid back but we also have this huge national debt that was accumulated over the years. A lot of people are not aware of the fact that it is only in this one year that we are balancing the budget. We still have to pay back this debt with interest for all those years. So even for those who feel that we should not spend this surplus on a tax cut because of what is owed to Social Security, there might be just as many hopefully that think that we should not be spending it because we have to pay back the national debt. Both of those are very legitimate reasons that you have pointed out.

Mr. KIND. Just another point in regards to the Social Security program. What we are going to hear is that we are just borrowing a little bit from the Social Security trust fund, that roughly 10 percent of the $80 billion tax cut would be financed from the Social Security trust fund. What that means is basically we are going to be collecting payroll taxes from hard-working men and women throughout the country. We are going to be taking those payroll taxes from them and redistributing it into the pockets of selected Americans through this tax cut. It just seems ridiculous to have a tax cut package that will do this. Even if we were to take the entire Social Security trust fund off-budget and not touch any of that money and could stop borrowing from it, it is still not going to solve the long-term challenge that we face with the Social Security program. So even a 10 percent drain from the trust fund is going to make it even more difficult to preserve Social Security well into the future. It is making our job all the harder when we take on the almost daunting challenges that we are going to be facing in the very near future and, that is, trying to find some long-term fixes to preserve the Social Security program. That is another reason why I think this tax cut is misguided. Even though it is just a little bit coming out of the trust fund, even a little bit is going to make it a lot more difficult for us to do right with the Social Security program, again to do right with the seniors in this country and future generations who would like to see that program still existing when they become eligible.

Mr. PALLONE. I would like to just develop a little of what you just said. That is, the way that we pay for Social Security, which is really not a progressive tax. I mean, it is basically a tax that wage earners pay at a certain rate. If you have to rely on that as a means of raising this revenue, we know that a few years ago, I think it was in the 1970s that the FICA, which is the tax that you pay on your earnings that pays for Social Security, was actually increased in order to generate more money that would be needed because it was estimated that we need more money for future beneficiaries. If we five or 10 years from now have to raise that FICA tax again in order to correct the problem that this money has not been paid back, not only would we be raising taxes again in order to have enough money for Social Security, but again it is not a progressive way of financing the program, as you say, paid for really on the backs of working people, strictly working people. That is not really a fair way to go about it.

I think it is also true that we are hearing all these proposals now about not having the Social Security COLA, raising the age before you get benefits. The effort to try to do those kinds of things will be increased. The pressure will be increased because the money will not be there.

□ 2100

We have not figured out a way to pay this money back. This possible surplus that is being generated now is really the only thing that is on the table that has a real possibility of paying some of this money back that has been borrowed. All the other alternatives that I can think of are not very desirable.

So I appreciate your bringing that up as well.

I think that we probably talked enough about this tonight, but I know we are going to be talking about it a lot more over the next few days, and I am just hopeful that we can get not only most, if not all, the Democrats to support this idea of Social Security first and not implementing this tax cut until the Social Security Trust Fund has been paid back, but maybe get some Republicans as well.

Mr. KIND. If the gentleman would yield, let me just raise final concern on this subject is that there has been a lot of talk here in the halls of Congress lately that the $80 billion tax cut is only the beginning, that early next year they are going to come back and take a look at it, and instead of just taking 10 percent of the Social Security Trust Fund, it is going to a hundred percent of the Social Security Trust Fund with a massive tax cut. And if we go that route and suddenly there is a slowdown in the economy and those surpluses do not materialize, we are looking at massive Federal deficits for many years to come, and that would be a tragedy.

Mr. PALLONE. Because I think that if we do not get our point across now that this is a problem and this passes, then what is to stop it, you know, if the lesson is not learned?

Mr. NEUMANN. Mr. Speaker, will the gentleman yield?

Mr. PALLONE. I yield to the gentleman from Wisconsin.

Mr. NEUMANN. My only fear listening to this, most of what you said I agree with wholeheartedly, as you well know, is that this becomes very partisan, and Social Security is too important to become partisan. Many of us Republicans also feel that it is inappropriate to use Social Security money for tax cuts, and I think it is important rather than get into a partisan bickering situation that we, you know, instead of me taking the next hour and coming back and bashing Democrats, this is not about Democrats and Republicans, it is about what is happening in Social Security in our country.

Many of us on our side of the aisle feel that it is inappropriate to use Social Security money. We support tax cuts, and I suspect that if we ask you if we could lower taxes by reducing wasteful government spending or by utilizing a portion of the surpluses from the general fund, not Social Security, as we are also paying down the debt, that that probably might be something that we on both sides of the aisle might find to be acceptable. Many of the Republicans do feel very strongly, as you are suggesting here tonight, that it is inappropriate to use Social Security surpluses for tax cuts, and I think you will see that unfold.

Mr. PALLONE. No, I appreciate the gentleman.

If I could just reclaim my time briefly?

I wanted to make it clear, emphatically clear, that this proposal that is before the Committee on Ways and Means is essentially coming from the Republican leadership, and I know that there are many Republicans, and I heard you speak this morning on this subject, that share the viewpoint that we have been expressing here that we should not have this tax cut until the Social Security money is paid back and until and that the really is not a surplus.

So I appreciate your comments.

I yield to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I do not want to leave tonight leaving the impression that we are against tax cuts per se. I mean we are for responsible tax cuts that could be offset within the Federal budget. That seems to be a more fiscally responsible way of doing it.

Tax cuts are great. I am a believer in providing tax relief in this country so long as we can pay for it and find some offsets in some other areas in the budget in order to pay for it so that we have some fiscal honesty as we move forward here on up, and I appreciate my friend's remarks from Wisconsin and the position he has taken in regards to the Social Security Trust Fund as well, and it should not be a partisan issue. It really should not, and hopefully it will not be because when you take on Social Security, both parties are going to need to lock arms together on this if we are going to have any progress and do right by the American people, and that is an extremely important point, and I appreciate my friend's comments in that regard.

Mr. PALLONE. I honestly believe, and I will say this now, that I think that the opportunity does exist over the next few days to get a number of our Republican colleagues to join us on this and to defeat this effort to try to spend the alleged surplus. But of course I have to say that it is true that the idea is coming from the Republican leadership, and that is why so many of us on the Democratic side are speaking out against it.

Mr. NEUMANN. If the gentleman would yield, I would hope that we would also lock arms to prevent additional spending in the same way we are talking about the tax cuts here because, as I understand it, we also have a proposal coming at us to do what is called emergency spending, and emergency spending means effectively we are going outside the spending caps and just starting new programs.

So I would hope that we are equally committed to controlling emergency or spending beyond the caps so that if we do have true emergencies out there, as I know exists in some areas of the ag in particular, the ag industry, I would hope that we would find other programs that are less important that we eliminate so that we can pay for or reprioritize the dollars to these other programs rather than just going and spending more money because that new spending also is Social Security money. If we just go and spend more money, that comes out of Social Security too.

So I hope we have the equal commitment here to both hold the line on spending and hold the line on using Social Security money for tax cuts.

Mr. PALLONE. I appreciate the gentleman's comments, and if I could say, and out of no disrespect, that we are going to yield back the balance of our time and you can start your hour so we can go home.

SOCIAL SECURITY AND DISBELIEF OF POLLS ON TV SAYING 60% OF THE AMERICAN PEOPLE SUPPORT THE PRESIDENT

The SPEAKER pro tempore (Mr. COOK). Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin (Mr. NEUMANN) is recognized for 60 minutes as the designee of the majority leader.

Mr. NEUMANN. Mr. Speaker, I do want to continue the conversation that is started down here on the floor tonight, and I want to talk specifically about Social Security, and I want to talk about both sides' commitment to Social Security, but before I do there is something that has bothered me a lot during the last few days here as the Clinton situation is unfolding, and that is I keep seeing these polls on TV that 60 percent of the people support the President. And I frankly cannot quite figure that out because I have read the information, and I just honestly do not believe that 60 percent of the American people find what HAS happened here to be acceptable.

So in our own office we did some counting today, and we have had 1500 contacts to our office either over the phone or E-mail or letters in a short four-day period of time. This is the largest number of contacts we have ever had in our office for any issue. The calls are 82 percent to ask for the President to resign or that he should be impeached. The calls are right now 1294 suggesting that we ask for his resignation or call for his impeachment and 281 that basically say get off his back and forget about it and get on with stuff.

So wherever those polls are coming from, I would like the American people and I would like my colleagues to know what is going on in my office. In my office it is about 8 and a half to 1 against the President at this point.

And when I found these numbers this afternoon, I started asking some of my friends what exactly is the situation in your office, and I am just bringing you back factual information. Every single one I talked to had the same sorts of numbers in their office as what we have in ours.

So I frankly do not understand where the poll numbers are coming from. I know there is a lot of people that feel both ways in this issue out there in America, and I know my colleagues feel differently depending on where you are at on this particular issue. But I do think it is important that we report back some of the things that are happening in our congressional offices and what we are hearing at the grass roots level from our constituents.

So I thought it would be important that we at least start with that particular piece of information, and, going on from there, I would like to ask all my colleagues a question tonight, and I think it puts this whole Social Security discussion into perspective.

If President Clinton had testified truthfully 90 percent of the time, so 90 percent of everything he said was absolutely true, would that make his testimony under oath okay and acceptable?

And I suspect that most of my colleagues would answer that question: No. If he testified 90 percent of the time truthfully and 10 percent of the time untruthfully, that would not be acceptable.

Now what does that have to do with Social Security?

We currently have a plan out here called a 90 10 plan where 90 percent of the Social Security money coming in, over and above what we are paying back out to seniors—

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COOK). The gentleman will suspend. As the Chair reiterated on September 10, 1998, Members engaging in debate must abstain from language that is personally offensive toward the President, including references to various types of unethical behavior.

Mr. NEUMANN. My apologies, Mr. Speaker, but back to the Social Security issue:

If we have 90 percent of the money that is coming in for Social Security over and above what we are paying back out to seniors in benefits and 90 percent of that money is set aside and 10 percent is used for tax cuts because that is the proposal out here; this proposal is not that they take 10 percent of the tax cut money out of Social Security, they are taking all of the tax cut money out of Social Security, and the question would be: Would they find that acceptable? And I suspect the answer to that question is the same as it was to the previous question.

So I kind of start there with an understanding that in my mind at least the money that is coming in from Social Security over and above the money that is going back out to seniors in benefits ought to actually be set aside for Social Security the way any business would be required to set aside their pension money. It seems to me that any business in America would be required to put real money into their pension fund so that their employees could reasonably expect to get their pension when they got to retirement, and that really is the Social Security discussion that we are having today.

If there was a business in America today that took the pension money and used it to give pay raises, those folks would be in deep trouble. So why is it that our government can think about taking the Social Security Trust Fund money, pension money if you like, and use it for something other than Social Security?

Now, I would like to go a little bit further on what some of my colleagues from the other side, because all of a sudden I am hearing an awful lot of this Democrat-Republican stuff starting here, and I think it is important we put this in perspective for any of them pointing fingers over here at that Republicans that Republicans want to use Social Security money for tax cuts. Let us just put this thing in perspective right now so we get a little better handle what this place has been like for the last 40 years.

We have not had a balanced budget for 40 years, for 30 years. Since 1969 every single nickel of the Social Security money was used for spending. It was not used for tax cuts, it was used for spending. And it is every bit as bad to take that Social Security money and use it for spending as it is to take it and squander it on something else just because we happen to find, and I personally find, tax cuts much more desirable than new spending programs.

I brought this chart with me because I think it is very important to understand what is going on in this city right now today. In 1993 we had serious problems facing our country. We had had the promises of the 1980's that we are going to balance the budget, and those promises were broken. And in 1990 we had taxes increased, and we got to 1993, and we had this huge deficit, and America woke up and realized we had a problem, and the people in Washington decided that the right answer to their problem was to raise taxes.

I brought this chart along because it shows the growth of spending in this government in 1993. This blue column shows the growth of spending. Well, what is growth of spending? If you spend a hundred dollars one year, and you spend $102 the next year, that is a 2 percent growth of spending. In 1993 we had the spending growth rate down to 2 percent. So in this city they raised taxes, they said we have got to get this budget balanced and even do something about Social Security, and when we raised taxes in this city, immediately what happened is Washington spending went up.

So this is not a holier than thou kind of situation where all of a sudden Republicans are bad guys for proposing tax cuts where the other side is the good guys. The facts are for a lot of years here what has been going on is that extra money that was coming in that was supposed to be set aside for Social Security was lost in the spending increases.

All right. So we got past 1993. We saw the tax increase, and of course higher taxes simply means more Washington spending as this chart shows. We went through 2 years of that, and the American people said enough of this stuff, we do not want higher taxes, we wanted less wasteful government spending. So they sent a new group of people to Washington, D.C.

And when we got out here, look what is happening to the spending growth rate. You will notice instead of being here, that spending growth rate is starting to go back down again. That is the accomplishment, and that is what has led us to this balanced budgeted and our first surpluses.

But let us make no mistake about it. Let us make no mistake whatsoever. We would not have a balanced budget, we would not have a surplus, we would not be talking about what to do with

this surplus, whether it goes in Social Security or tax cuts or new spending; none of that would have been going on if this had not happened and we reduced the growth of government spending.

Now when we reduced the growth of government spending, we literally were in a position where we could both balance the budget and start putting the Social Security money aside and reduce taxes.

Now a lot of my colleagues, and I hope my Republican colleagues are listening tonight because a lot of what I am hearing out here is, well, the tax cut of 1998 is no different than the tax cut of 1997. And I want to tell you that is wrong, that is fundamentally wrong on the basic premises of what it means to be a Republican.

It seems to me when I became a Republican and when I came to this city, I came here for purposes of reducing the size and scope of this government so we could reduce the tax burden on working Americans at the same time we restored Social Security and paid off the debt.

I have got with me two sheets of paper that will not show up on the screens tonight. On one piece of paper is the 1997 tax cut. I have got the number circled in red, it is a hundred billion dollars. The net tax cut 1997 was a hundred billion dollars. The other sheet of paper I had is the corresponding spending reductions. In 1997 we did this the Republican way. We cut spending and we cut taxes. We did not go into Social Security money to pay for the tax cuts, we cut taxes, we cut spending. The number over on the spending side is $127 billion.

So again let me reiterate. In 1997, when the Republicans brought this first tax cut out here, the $400 per child, the 1500 to help pay for college tuition, the capital gains from 28 to 20 and going to 18, removing the taxation on virtually any home sale in America, all of the Roth IRA, all of those good things that were brought forth in 1997, we did the tax cuts and we did the spending cuts.

That is the Republican way. We cut taxes and we cut spending and that is the right way to go about this.

What we did not do, what we did not do, is we did not go into the Social Security surplus and use that money that belonged set aside for Social Security for purposes of tax cuts. Again, I want to point back to this chart because it is so important.

Those tax cuts were paid for by bringing this growth rate of government spending down. That is the right way to solve the taxation problem facing this country.

I am probably going too strong. I feel very strongly about this. We can tax cuts in this city at the same time we set aside the Social Security money and pay down the debt if we will just do it the right way by controlling the growth of government spending as opposed to just surrendering and saying, government does not waste any more money.

Is there anyone in America that honestly believes there is not enough government waste out here to offset a nice tax cut package that we could pass yet this fall? Why in the world are we not, as Republicans, going about this the right way, saying we are going to reduce taxes because the tax burden is too high, and we are going to reduce spending to offset the reduction in revenue?

That is the Republican way of doing things and it is what we ought to be doing out here right now.

Mr. HOEKSTRA. Mr. Speaker, will the gentleman yield?

Mr. NEUMANN. I yield to the gentleman from Michigan.

Mr. HOEKSTRA. Mr. Speaker, I thank my colleague, the gentleman from Wisconsin, for yielding.

Mr. Speaker, I realize the passion with which the gentleman is dealing with this issue and has dealt with this issue over the last couple of years, and really appreciate that because I think it is one of the things that has really enabled us to in 15 days or 14 days end the fiscal year the way Washington counts, with our first surplus since 1969, recognizing that perhaps all or most of that surplus will be attributable to the surplus that we have in Social Security revenues.

I really want to build off on this. I was watching in my office the gentleman's dialogue with his counterpart, the gentleman from Wisconsin, and in that dialogue I really felt that there was one point that was missing, and the gentleman was just talking about it.

I think that the gentleman and I agree that as we end up 1998 and as we prepare for 1999, the last thing this Congress ought to be doing is a $90 billion spending plan. It is being talked about as an $18 billion, $19 billion spending plan, emergency spending, but what the gentleman and I both know, being on the Committee on the Budget, as soon as we put that $18 billion in there for 1999, it becomes part of the baseline for 2000, 2001, 2002, 2003, 2004.

It is not emergency spending that goes out here somewhere and says, that is a 1-year emergency. All of a sudden it is a built-in emergency as part of that budget each and every year so we are on the verge, or the rumors are because we have not seen anything yet and I think some of our other colleagues are saying if we are going to spend this $18 billion this year we ought to find offsets, but the worst case scenario would be that in the next 3 or 4 weeks we do an $80 billion to $90 billion spending increase, a spending bill. That is the wrong way to go.

The gentleman was talking with his colleague from Wisconsin, and the gentleman was talking about that increasing spending was the wrong thing to do. I think the gentleman got agreement, but I am not sure it is what he and I agree with, that the tax burden is too high, that when the American people between the local, State and Federal government taxes are working Monday and Tuesday for the government, 40 percent of their income they are paying to taxes, the gentleman and I want that lowered. The gentleman and I agree on that. I am sure they did.

The thing that I was hoping that the gentleman would get agreement on is that they would join the gentleman and I in identifying wasteful, ineffective, inefficient spending of taxpayer dollars here in Washington.

We are spending $1.6 trillion to find, what? To find a $16 billion, a $20 billion tax, we have to find what? How much is that, less than 1 percent?

Mr. NEUMANN. Reclaiming my time just for a minute, I am sure after the impassioned speeches we heard this evening basically condemning Republicans for even proposing a tax cut idea because it uses Social Security money, I am sure everyone listening and all of their colleagues on their side will understand that new spending is money coming out of Social Security, too.

We need to understand, we have a triangular fight going on here. The fight is between those who want to use Social Security money for tax cuts, without offsets, and those who want to use Social Security money for new spending, and those of us who think Social Security money belongs in the pension fund like any other business in America would be required to do with their pension money.

I hope, after we heard those impassioned speeches over there, that we are going to find them supporting our efforts to not allow the Social Security surplus to be used for new spending either, but as the gentleman said, I am not 100 percent sure that is what I heard but I think I at least heard that from my colleague from LaCross, Wisconsin.

Mr. HOEKSTRA. Mr. Speaker, will the gentleman yield?

Mr. NEUMANN. I yield to the gentleman from Michigan.

Mr. HOEKSTRA. Mr. Speaker, we do know that in many cases we can have the best of both worlds. We proved it in 1997, and we can prove it again that we can reduce spending. Excuse me, we can just slow the rate of growth. We as Republicans have done nothing to cut the size of government. All we have done is slow the growth of government. If we go back and we just take a look at the wasteful spending, I have taken a look at the Education Department, I have taken a look at the Labor Department. There are billions to be found. It does not mean that spending on education is not important, but the way

that we are spending on education, where a dollar comes in to Washington and only 60 to 65 cents gets back to a classroom, I believe that means that we are wasting 30 to 35 cents.

We were in Milwaukee. We have been around the country listening to people at the local level about education. They are saying, we like your money but the rules and the regulations just dampen our enthusiasm and they stop us from doing what we would like to do.

Mr. NEUMANN. Reclaiming my time, I want to take just a couple of minutes and I just want to walk slowly through this Social Security debate because I think it is so important that people actually have the facts about what this whole debate and what this surplus is all about.

I want to walk through the surplus and how it relates to Social Security and what is actually happening. Social Security this year is collecting about $480 billion from workers' paychecks. So we are getting $480 billion in. We are paying back out to seniors in benefits about $382 billion.

Now, let us put this in perspective so everyone understands. If someone had a checkbook and they had 480 bucks in their checkbook and they wrote out a $382 check, their checkbook would be all right. In fact, they would have 98 bucks left in their checkbook when they got back. That is Social Security today. It is collecting more money than it is paying back out to our seniors in benefits. As a matter of fact, this year, there is $98 billion left over.

Now, that has been going on since 1983 and when my colleagues on the other side talk about this, we better get rid of the holier than thou attitude because since 1983, every year that they collected more money than they paid out to our seniors in benefits, the extra money has been going into the big government checkbook. If one thinks of this as the $98 billion, it goes directly into, think of this as the big government checkbook called the general fund. Well, if they spend all of the money, they write checks out of the big government checkbook, they spend all the money out of that general fund.

Now, the checkbook has been overdrawn every year since 1969. So they get to the end of the year and they spend all that money, including the Social Security money, and there is no money left. So what has been going on over here is they are simply writing IOUs to the trust fund.

Now, again, I would like to go back to the real world for a minute because I had no political experience before coming here, and in the business I ran, if I would have taken my employees' pension money, put it in my business checkbook, spent all the money out of the business checkbook and then at the end of the year written an IOU to my pension fund, my employees would not have tolerated that, and the American people are not willing to tolerate that out of their government either.

So we wrote a bill. I want to make this clear how this bill would work. We would simply take that $98 billion, the extra money, and we would put it directly into the Social Security trust fund.

Now, that may not seem like a brilliant idea to most people but the facts are in this city that is a very different policy. The money coming in from Social Security then would actually go into Social Security.

I have drawn a line here. Make believe that is the law, because what we are trying to do is keep this money out of the big government checkbook so that it cannot get spent on other things, even other good things like tax cuts.

So if we could get this money into Social Security, that leaves us then with the government general fund.

Now, let us think about the next step here because we are about to go into surplus not only in Social Security but also in the general fund. To my Republican colleagues and to my Democratic colleagues that were here earlier this evening that were talking about paying off the debt, let us complete this picture of what we ought to be doing.

Again, I am not smart enough to understand all the politics of this thing. I come from the business world. This is what we would do in the business world. First, the pension money actually goes into the pension fund. You do not touch that for other spending in your business. You do not give it for pay raises. You do not give it for new cars. You do not spend that money. It goes into the pension fund. So that is first.

Then we look over here at the general fund. When our general fund goes into surplus, okay, walled off from Social Security, when the general fund goes into surplus, good news. We are there now. It is just starting right now as we stand here speaking.

When the general fund goes into surplus, we take part of that surplus and use it to repay debt, and part of that surplus and use it to lower the tax burden.

So in that scenario, what we are doing is putting aside the Social Security money the way we should be, and we are going to the general fund and out of that general fund surplus we are funding additional tax cuts and they can be massive tax cuts in the near future because the economy is so strong as it is.

So we go to the general fund and we fund the tax cuts and we make payments on the debt.

Now, I have written a bill that does exactly this. There are two of them. The Social Security Preservation Act forces the Social Security money to actually go into Social Security, and we also wrote a bill called the National Debt Repayment Act which would pay off the Federal debt much like one would pay off a home mortgage, and whatever is left after our mortgage payment, well, that comes back to the people in tax cuts.

Now, I have an interesting provision here, and it is this picture for my Republican colleagues who got this in the mail while they were over break. If the economy stays not as strong as it is but close to as strong as it is, we would wind up with a $1.5 trillion tax cut over the next 10 years, simply following this suggested plan that I have just laid out here.

Now, the problem with this is that it only happens if the economy stays strong. We do not go out and spend the tax cuts or spend the money in something different before we actually have it in our hands. The tax cuts only occur after the revenue is actually in hand.

What does it do? Well, it actually would pay off our entire Federal debt inside of 30 years. It would lower the tax burden on working Americans by $1.5 trillion. That is 1,500 billion dollars. That is huge. It is almost 20 times what they are talking about here. We do it the right way. We do not use Social Security money for tax cuts. We look at the general fund and we look at reduced government spending to go make those tax cuts happen.

Mr. Speaker it is my honor and privilege to have with us here this evening one of our most distinguished Members, my friend, the gentleman from New York (Mr. Solomon).

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. NEUMANN. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I would just like to say to the gentleman from Wisconsin I appreciate him yielding. We certainly concur with everything the gentleman and my good friend are saying here.

Mr. Speaker, apropos to that I am going to send to the desk three privileged reports from the Committee on Rules for filing under the rule, one of which is a 10-day continuing resolution that will keep the government functioning, keep the Social Security checks going out, in case we have not finished our business by September 30.

I salute the gentleman for all of his hard work in bringing some fiscal sanity to this chamber.

Mr. NEUMANN. Mr. Speaker, I would ask the gentleman, does that continuing resolution fund the government at 100 percent of last year's level?

Mr. SOLOMON. It has to fund it at 100 percent of last year's level, which actually saves money, as the gentleman knows.

Mr. NEUMANN. I was just going to say, that does not mean 101 or 102 or 103 percent? Is the gentleman sure he would not like to make it longer?

Mr. SOLOMON. I would love to.

Mr. HOEKSTRA. Mr. Speaker, will the gentleman yield?

Mr. NEUMANN. I yield to the gentleman from Michigan.

Mr. HOEKSTRA. Mr. Speaker, I thank my colleague from Wisconsin for yielding.

Mr. Speaker, I think as we take a look at this, number one, what we have to recognize is the significant amount of progress that we have made. Again, listening to some of the comments earlier about what happened in the eighties, the tax cuts and spending, the problem in the eighties was spending, and when we go back to the gentleman's earlier chart, I mean spending just went up, up, up, up.

In 1995, when my colleague joined us here in Washington, we started to cut the growth. Again, we did not cut spending; we just cut the growth, projected growth of spending.

□ 2130

Where we are this year, and I do not know if my colleague has his latest estimate, but the gentleman has been about our most accurate forecaster in Washington, but we are very close to actually being able to have a surplus in the general fund. I am not sure we are going to quite get there, so I will yield to the gentleman.

Mr. NEUMANN. Mr. Speaker, the facts for this year are that we may in fact have the $98 billion. It is close. It is some place between on the bottom end probably 79 or 80, and on the top end about 103 or 104 billion. The surplus is right in-between there. Right now we may in fact have all of the Social Security surplus.

But the important thing to note is that if we have another year, not as good as this year, but nearly as good as this year, that we are not in a major recession, we are going to have surpluses in both of these accounts. I keep going back to that. For my Republican colleagues who are so anxious to cut taxes, we are so close to doing this thing the right way where we can actually put the Social Security money aside and have surpluses in the general fund. That is literally where we are right now today, if we have one more year that is just not as good as the last year, but close to as good. When that happens, we are now able to put this money away in Social Security like we should.

When we look at the surpluses up here in the general fund, we can make that mortgage payment and start paying off the debt so our kids can inherent a debt-free Nation, and we can lower taxes. We can do both of these things simultaneously.

One more thing. As we start making that payment on the Federal debt, part of the Federal debt is the money that has been taken out of Social Security over all of these years. So as we make payments on the Federal debt with that general fund surplus, another thing that is happening is that we are paying off these IOUs that are in Social Security.

It seems to me from a business perspective, this is not an overly complicated topic in terms of understanding what we need to do in the right way. If we are just a little bit patient, we are here. We are literally at the point where we can put the Social Security money aside and run significant surpluses in the general fund, so that we can both lower taxes and pay down debt. For any seniors, my colleagues who have many seniors in their district, as we pay down that debt, all of that money that has been taken out of Social Security literally gets put back in.

This is the course of action that we should be taking as a Congress, and I, for one, intend to work very, very hard to see to it that this is the direction we go.

Mr. HOEKSTRA. Mr. Speaker, if the gentleman will yield, a couple of points. Number one, all of those years from 1969 where our colleagues on the other side, and I hope they join us on slowing the growth so that we can get some tax cuts; but from 1969 when we reported, or the Democratic Congresses reported $200 billion deficits, that $200 billion did not identify Social Security, did it? If we would have taken the Social Security surplus out of there, we would have been at $250 billion or $300 billion deficits annually.

Mr. NEUMANN. Mr. Speaker, on that point, if I could just reclaim my time for a minute, yes, those deficits that the American people and my colleagues talked about all through the late 1980s and the early 1990s, they took all of that Social Security surplus, they put it all in the big government checkbook, they wrote out checks out of the big government checkbook, overdrawing the checkbook by $200 billion a year, and that included spending all of the Social Security money. That is why they kept putting these IOUs down here. That has been going on for years and years and years, before we got here and turned this thing around in terms of getting spending growth under control.

Mr. HOEKSTRA. Mr. Speaker, if the gentleman will yield, Members on the other side of the aisle who are blasting us now for perhaps even considering some of these things, from at least 1969 on, were burying these Social Security surpluses into more spending and understating the deficit each and every year as those numbers continued to go up.

Mr. Speaker, if we go to the budget, I saw the budget proposal for redoing the budget process today, and I do not know if the gentleman has seen that or not, but if the gentleman goes back to his chart that he had up there, the wall that he drew in, if we are going to talk about honest budgeting, I am thinking this is going to be a bipartisan effort because of the work that the gentleman has done in helping to communicate this very issue.

But under budget process reform, we are going to take the tax dollars collected for Social Security that go into the Social Security Trust Fund, we are going to take that wall there and we are going to pull those two circles and that green arrow, if the gentleman would point them out, we are going to pull them out of this equation. In the future, when we are talking about this, we are going to be talking about a Social Security chart, and we are going to be talking about a general fund chart, and we are going to start doing this more like the way we should than the way we have been. So that we can talk about Social Security, we can talk about how much the debt is, and then we can talk about the general fund.

The other thing that we are going to put in there, because this is such a convoluted budget process, but nowhere in our budgeting process today do we account for the other accrued liabilities that the Federal Government has. Nowhere do we identify the pensions that are payable to Federal employees.

So the new budget process number 1, is going to do exactly what the gentleman has proposed on that chart, and what the gentleman has proposed in his legislation which is to say, we are going to take Social Security and Social Security revenue and expenditures, and we are going to take it out of the general fund, and we are going to have really 2 accounts. If we want a unified budget, we can go and add those 2 charts together, but we are going to be working off of 2 separate accounts here. That is a huge step forward, and the gentleman has spent a lot of time educating the rest of this House about why that needs to happen. I think we have a real opportunity to make that happen and begin that process yet before we go home.

Mr. NEUMANN. Mr. Speaker, reclaiming my time, the song One Step at a Time comes to mind. Just think where we have come in 3 short years. In 3 short years, by getting spending under control, we are now running a surplus.

In 1969 when we ran a surplus it was $3 billion. The surplus this year is 80 plus, so we are talking about the most significant surplus perhaps in the history of this country this year. That has come about because we got government spending under control, coupled with a strong economy.

A lot of times people say, well, the strong economy did it all. I have been out to a lot of town hall meetings all over Wisconsin and I ask them all a question out there in Wisconsin, and the question goes like this: Which one of these 2 things do you think is more

likely to happen? A martian spaceship lands outside and comes in and joins us; they go back to Mars, and they snicker, and I tell them not to jump to conclusions. Because the second choice is that Washington gets $100 billion of unexpected revenue and does not spend a nickel of it. Then they all snicker and they take the martians in most cases. In fact, that has happened out here.

When we look at this controlled government spending, it is important to know that that controlled government spending occurred in the face of a very strong economy, which meant additional revenues coming in. So in the face of $100 billion of unexpected revenue, we literally held the line on spending. That is a pretty monumental change in the way things are going on.

In my town hall meetings when I look at their faces, there is kind of an appearance of disbelief. If anyone out there would like to check this out or my colleagues would like to check it out, and I am sure somebody on the other side of the aisle might want to check this out, in 1995 if you look at our budget resolution, what we projected we were going to spend in 1997, and if you look at our 1995 budget resolution what we projected for revenue, you will find that $104 billion of unexpected revenue came in, while we underspent our projected spending by $26 billion.

With the Internet and everything today, that is not a very complicated thing to check out. People can pull up these resolutions pretty easily and find out that these numbers are in fact true.

It really leads us back to this picture. I am glad to hear that the Committee on the Budget, I was not at that meeting today, we had others going on, but I am glad to hear that we are going to pull Social Security out. That is really what we are talking about.

Mr. Speaker, my fear is that over the next 3 or 4 weeks we are going to get so bogged down in a fight that they are going to say is using tax cuts for Social Security. Again, I would point out the difference between this and our tax cuts in the past. When they accused us of using Social Security for tax cuts in the past, we simply went and got our sheets of paper and said, wait a second. There is $100 billion of tax cuts, here is $127 billion of spending reductions. No, no. We are reducing spending and we are reducing taxes. That is the Republican way.

But this time, when they say we are using Social Security for tax cuts, they are going to be right, because we now only have 1 of these pages. That is the tax cut page. We have somehow lost that willpower to find that other page that goes with tax cuts, and that is spending reduction. I just cannot emphasize for my colleagues how important it is that we recommit ourselves to that basic principle and that basic premise. Tax cuts are good, but tax cuts should not come out of Social Security. Tax cuts should come by reducing or controlling government spending, or, and I have now laid out a second option that was not even considered 3 years ago, because we did not have a chance at this.

The second option for tax cuts is when our general fund, with Social Security walled off, when that general fund goes into surplus, we are then in a position to make payments on the Federal debt, and remember, as we pay down the debt we are paying off the Social Security IOUs, and we can use the balance of that general fund surplus to again lower the tax burden on Americans.

Mr. Speaker, a lot of my colleagues say, wait a second, what are we going to campaign on with all that stuff. I say, most of the American people do not even know about the 1997 tax cut, that tax cut where we cut taxes and reduced spending to pay for it, that tax cut most of them do not even know about yet. It might be wise here to talk about the impact to some of our families of the 1997 tax cut so folks do know about it.

If one has a child and is a middle income Wisconsin family, and one has a child under the age of 17, one gets a tax refund next year of $400. So if one has a child 17 or under, when one does their taxes next year, there is going to be a check back in the mail to them for $400 for each one of those kids. If one has a child in college, one is going to get up to $1,500 to help pay that college tuition. Paying college tuition today is tough for parents.

Rather than developing some big new government education program where bureaucrats get the money, we simply allowed for a tax refund to go back to those families with college kids. But it did not stop there.

When I go to meetings and I ask how many people own a stock or a bond, almost every hand in the room goes up. When you sell, instead of paying 28 cents on the dollar to the government, you are only going to pay 20. As a matter of fact, that number is going to 18 very shortly. There are a lot of folks in lower income brackets that own stocks and bonds, and for them it is going from 15 down to 10.

Mr. Speaker, this is good news for America. Taxes were reduced, and again, I keep going back to in 1997 when we reduced those taxes, we reduced spending. This is good news for Americans.

The Roth IRA. My own kids are starting Roth IRAs. It scares me to think that I have kids that are in their early 20s that are now taking advantage of this tax cut package that we passed last year. Young people in America can now put money into the Roth IRA to buy their first home. When they take out the money it is tax free for the down payment.

When they put money in the Roth IRA if they decide to return to school, they can take money out of their Roth IRA tax-free to return to school. Equally important, if one is in their 40s and they are now looking to what it is going to be like when one is in one's 60s and ready to retire, you should start asking yourself, should I put money into the Roth IRA. You put the money in, interest builds and accumulates until you reach retirement, and you pay no taxes when you take it out at retirement.

This is a huge, tremendous encouragement for people to save to take care of themselves. The tax cut package of 1997 was a phenomenally good package for virtually all Americans.

A lot of times I talk to senior citizens and they say, what did I get out of it. Well, a lot of you sold your homes when you took the one-time, age 55 exclusion and you bought a smaller home and you are now ready to sell that smaller home. Well, the fact is there are no more taxes on that smaller home even if you took the one-time, age 55 exclusion.

Equally important for seniors is the Medicare reforms, because rather than just going and saying we are going to collect more taxes for Medicare, what we did is looked at Medicare and came up with ways to make Medicare better for seniors that was also more cost-effective. I just want to give one specific example, and that is diabetes.

In the past if a senior citizen wanted screening for diabetes, it was not covered under Medicare. What would happen is lots of seniors got diabetes and they got very sick and it destroyed their lives and it also was extremely expensive to deal with the problem after they got sick. So we included diabetes screening, which is not only cost-effective, but more importantly, it provides a better life for our senior citizens. There are many, many aspects of Medicare that have changed in that manner for senior citizens.

So when we look at that overall 1997 package, and again, I go back to the Republican way: tax cuts coupled with spending controls and spending reductions, that is the Republican way of doing things and it benefited literally all Americans.

I would be happy to yield to my friend from Michigan.

Mr. HOEKSTRA. Mr. Speaker, I thank the gentleman for yielding.

I think it is important for us to come back and say, what was the trigger, what was the trigger that enabled all of these positive things to happen? I really come back to exactly that. That chart; the chart that said, we believe Washington is big enough and has enough; as a matter of fact, we think Washington has too much of your money and we have set our growth

rates too high, and all we want to do is scale back the rate of growth. And when we did that, it enabled us to get to a surplus budget.

Remember, a year ago we were debating, because people were saying, get to a surplus budget by 2002? Never make it, never happen. But by controlling the growth of spending and when revenues came in higher, we were able to get to that. We are going to get to that surplus, and we were able to do all kinds of other positive things.

When we in Washington say, enough is enough, we have had enough and we have to learn to live within our means; as a matter of fact, again, I keep saying cut, but it is not. All we need to do is to learn to grow a little bit smaller.

□ 2145

Mr. NEUMANN. Mr. Speaker, I have got a question for the gentleman from Michigan. Has the gentleman from Michigan ever been in one of his town hall meetings and asked the question: How many people think government spending should go up faster than the rate of inflation? And they just look at you and laugh. They say of course government spending should not go up faster than the rate of inflation.

But when I point back to this chart, we are seeing government spending going up nearly twice as fast as the rate of inflation. What they call a cut in spending in Washington, what they actually mean is they are bringing the growth rate of government spending back to about the rate of inflation.

A lot of people would like to see it grow slower. Then I always have somebody stand up and go, we cannot do that say because, because, because; and they come up with some program that has got to grow faster than the rate of inflation.

Let me give you an example. The baby boom generation is headed toward retirement. So when we look at Social Security with cost of living adjustments, plus additional seniors going into Social Security, Social Security is, in fact, going to go up faster than the rate of inflation.

My answer to them very simply is, look, if we have got a program that has to go up faster than the rate of inflation why do we not find a program that is not as important as that program and reduce spending in that program that is less important, so we can keep the overall spending growth rate of government at or below the rate of inflation. Then they all nod their head.

It just seems to me logical that we ought to be able to keep the growth rate of government spending at or below the rate of inflation. If I had my way, as my colleague well knows, it would not be at the rate of inflation. It would be slower than the rate of inflation, because we would find all kinds of waste. When we cut the waste out, the savings would be used to reduce taxes as we did in 1997.

Mr. HOEKSTRA. Mr. Speaker, will the gentleman yield?

Mr. NEUMANN. I am happy to yield.

Mr. HOEKSTRA. What happens through this process is what you outline. We get to a surplus in 1998, or we get to a balance or close to a balance without taking into account Social Security, which is a very, very positive step. When I first came here in 1993, we were looking at increasing taxes, and we were looking at increasing spending, and we were looking at deficits of $300 billion as far as the eye could see.

Mr. NEUMANN. With Social Security, do not forget.

Mr. HOEKSTRA. With Social Security. So taking Social Security out, it would have been close to $400 billion annually.

So we get almost a real surplus, and next year we probably will. We are able to do all of those tax cuts that the gentleman outlined, the $400 per child, the Roth IRA, the Hope scholarships, the scholarships for students. We go through all of that, which is a real benefit to American families each and every day.

We are then on the verge of next year, with continued economic growth, of getting to a real surplus, taking Social Security out, which then enables us to do even more good things, which is more tax cuts and paying down the debt and putting the dollars back into Social Security.

Also, by doing and getting to where we are financially today, the Members now will have the courage to go through and do the right thing on budget process. Because a few years ago, they said we cannot change the budget process because then people will really know that the deficit, instead of being $200 billion is really $298 billion. It has really been liberating and has changed the dynamics and changed the debate here in Washington for us to do a lot of good things and move us in the right direction.

Mr. NEUMANN. Mr. Speaker, if I can reclaim my time, I would like to ask my friend, the gentleman from Michigan another question that I think kind of puts this all into perspective.

If we look at this chart over here, and we see that spending was going up at this rate before, and now spending is only going up at this rate and even slower yet, if the government had spent this much more money instead of doing tax cuts, so the government spends it instead of leaving it in the pockets of the American people, is there anyone in this country that honestly believes that, by spending this much more money, the government would have done a better job spending that money than our families would out there in Wisconsin or in Michigan or anywhere else in America? Does one honestly believe that the government here in Washington knows how to spend that money better than the people out there in America?

I think what is real important here is to understand that, if we had not done the tax cuts, that we were actually getting this money back to the people, and we could not frame it in this framework of, well, listen, we are going to do one of two things, we are either going to spend it here in Washington or we are going to let our families keep it themselves, it was that framework, it was that idea that we could allow the American people to keep the money instead of Washington spending that has helped us control this growth of government spending.

It is that idea, that understanding that families in Janesville, Wisconsin can spend their own money better than we can spend it out here in Washington that has allowed us to get these spending growth rates back under control.

Because if we just say we want to cut spending, there is not much incentive to do it. But if we say we want to cut the growth rate of government spending so we can allow our families in Wisconsin to keep more of their own money, it becomes a winning argument. In fact, that is how we have been winning these arguments out here for the 3 years I have been here, almost 4 years now.

Mr. Speaker, I am happy to yield to the gentleman from Michigan.

Mr. HOEKSTRA. Mr. Speaker, if the gentleman will yield, it is not the winning argument, it is the right thing to do.

Mr. NEUMANN. That is correct.

Mr. HOEKSTRA. The gentleman is absolutely right. When I go to my town hall meetings and talk to my constituents and say, would you like the growth rate to be a little bit more than inflation, because we are really doing good things with your money out here in Washington, it is kind of like they look at you and say no, because we just have way too much evidence of you doing the wrong thing in Washington with our money. We do not have a high degree of confidence that you need all of this.

As a matter of fact, most of my constituents, I would believe, think that we have too much of their money and ask them for too much of their money each and every week when they look at their little pay stub; and they say, wow, this is some money that I probably could spend better than what Washington could spend it.

The gentleman has identified we have got the silly little spending out there, the cow, the methane gas study that is going on.

Mr. NEUMANN. Mr. Speaker, would the gentleman fill my colleagues in on that, because that was very quick. That amendment that I brought to the floor to end the cow gas study was very quickly accepted down here. Some of our colleagues may not even be aware that we were spending lots of money, the taxpayers' money to study cow gas out here before this year.

Mr. HOEKSTRA. Mr. Speaker, I do not know all the specifics on it. The gentleman highlights it. We are glad that the gentleman goes through the budget and he finds that. I do not remember the exact amount of money, but the gentleman looked at it and said, is this really what we need the federal government doing is paying for someone to study the cow gas.

Mr. NEUMANN. It smells like government waste to me.

Mr. HOEKSTRA. It smells like government waste. So we have got to stop.

Mr. NEUMANN. Mr. Speaker, we are kind of making light of that, but there are hundreds and hundreds and hundreds and hundreds of these sorts of programs.

We can start with the Russian monkeys where we were sending millions of dollars of taxpayers' money to Russia to launch monkeys into space, for heaven's sakes. We did this every year. Or the ice buckets that were delivered to our office doors every morning, even though we all had freezers.

For goodness sakes, they started delivering ice buckets in the 1800s. In the 1930s, when they put refrigerators in the office, nobody ever told them to quit delivering ice. So they kept spending $500,000 a year delivering ice to our doors every morning.

I might add, in the House of Representatives, we got that stopped in my first year here. The Senate did it 3 years later. So it only took them 3 more years to figure out it was not such a hot idea over in the other side of this body.

But the list of this sort of thing goes on and on. The military plane that flew a cat back from I believe it was France to Colorado Springs at a ridiculous cost to taxpayers. Hundreds of government employees that we can do without.

This list is so extensive. Then you add to that corporate welfare. We are going to talk later this week. Did the gentleman know we were using tax dollars to teach anglers, fisherman, how to guide for fishing, but not in America, but Ireland?

Think about this for a second. Think about the logic of this program. I just found this one today, so it is kind of fresh on my mind. We are taking taxpayers' money out of Janesville, Wisconsin. We are getting it out here in Washington. We are then sending it over there to Ireland so Ireland can train fishermen how to guide for fishing expeditions properly.

If someone can help me understand the logic of this, then maybe I will concede that it is not such a hot idea to continue our efforts to control the growth rate of government spending.

But I have to tell my friend the gentleman from Michigan and my colleagues, I honestly believe we can do tax cuts this year if we just get our nerve back to control wasteful government spending. There is no reason in the world not to offset tax cuts with the elimination of wasteful government spending.

Mr. HOEKSTRA. Mr. Speaker, if the gentleman will yield. Just a simple question. What department was this angler training program in for Irish fishermen?

Mr. NEUMANN. Foreign operations. We just found it today. There are a series of other things in the same bill that are just fascinating. That is the only thing I can say is it is fascinating. It is equally fascinating as the cow gas study.

When you start looking at what the government spends the taxpayers' money on, it is almost as if somehow the people out here forgot that it is not their money. It is the people's money. It is the family of five in Janesville, Wisconsin with two kids at home and a freshman in college that next year is going to get a tax refund of $400 per child and $1,500 for that college tuition, $2,300. That family of five, two kids at home and a freshman in college is literally going to get a tax refund of $2,300 next year.

We could have trained more fishermen, I guess, in Ireland or maybe in England or somewhere else; I do not know. We probably could have done some of those things; but, shoot, it seems to me that those families out there in Janesville, Wisconsin and all over this country could spend that money better than if we sent it overseas to train fishermen or launch monkeys into space for that matter.

Mr. HOEKSTRA. Mr. Speaker, if the gentleman will yield, I asked the gentleman the specific question about the anglers in Ireland only because I chair an oversight subcommittee on the Committee on Education and the Workforce, and we asked a very simple question of the Executive Branch about a year and a half ago as we began a project called Education and Our Crossroads.

We said, this is the Executive Branch. We kind of surveyed their documents and tried to answer the question. How many education programs are there? The answer came back, and a lot of study, and it is 740, 760. We finally said, if you take it all, and this is not all K through 12, it is all kinds of different education programs, and this one might be in there, and if it is, I am sorry we did not catch it and identify it before the gentleman did, but it is like 760 programs.

We thought hallelujah. Now we know why there is an education department, to coordinate 760 programs. We then took a look at it and said wrong; 760 programs, 39 different agencies. We found things like, we, the people in the gentleman's district, the people in my district pay for closed captioning, think about this, closed captioning of Bay Watch, of the Ricki Lake Show. American taxpayers are paying for closed captioning of Bay Watch.

It is kind of like take a look at where we are spending our dollars. This is why, when we go to our town meetings and say, do you think we should grow at a rate faster than inflation, they said no, kind of like maybe we should decrease spending, which we have not done.

Mr. NEUMANN. Mr. Speaker, I just want to bring this back to the discussion we are in the middle about here right now. I hear this cry from my Republican colleagues and some from the other side as well that we should somehow take the Social Security surplus and use it to cut taxes. Why can we not do it the same way we did last year?

We started talking about these waste programs. Why can we not cut taxes and eliminate government waste? Why do we not reduce spending and reduce taxes at the same time so we are not using Social Security money for tax cuts? Why can we not do this the right way? Is there anyone that honestly believes there is not plenty of waste still in this government that we can get rid of so we can provide tax relief for the American taxpayer and do it without taking the Social Security money?

Why should we surrender and say we cannot do this anymore? We can do it. There is plenty of waste still in this government. For goodness sakes, we can start on the audit where they went looking for ships. Out of, I do not remember the numbers exactly, it was about 72 ships, they could not find 22 of them, for heaven's sakes.

We start finding that the Forest Service Department could not find $215 million. How in the world do you lose $215 million? If somebody would have come back to me and my building company and said I lost $250, I mean that would have been grounds for serious consideration for dismissal or at least serious ramifications. But $215 million that they cannot find in this audit.

We have got plenty of places in this government where we can still eliminate wasteful government spending. If we are real serious about providing tax relief, and I think we should be, let us do it the right way.

Let us go after tax relief and spending reductions to pay for it, and let us leave the Social Security money alone so our senior citizens in this country can start getting up in the morning again, understanding that their Social Security is safe.

There are a lot of people, there are a lot of senior citizens in America that just plain cannot afford to make it without that Social Security. They have gone through their whole life expecting Social Security to be there. The government has made that promise to them. Their government has made that promise to them.

They cannot go back and relive their life and start a Roth IRA like many of

us are doing now. They cannot do that. It is too late for that for them, because they are relying on that Social Security check.

Why can we not do this the right way? Let us put the Social Security money aside. We are there. The general fund is in surplus as well. Let us wait for that surplus to get big enough to do a legitimate tax cut.

If we want to do tax cuts this year, shoot, let us not take the social security money and do it, let us do it the right way and reduce spending to correspond to the tax cut that we want to do out here. That is what we ought to be doing in this city.

By the way, that teaching fishermen how to guide fishing trips properly in Ireland that we are paying for with American tax dollars, I do not think that is on your list of education programs. It never even occurred to me that that is a course in education program. It never even occurred to me that that is education. I am sure that is not on the list. Maybe we expanded the education list to 761.

Mr. Speaker, I am happy to yield to my friend, the gentleman from Michigan.

Mr. HOEKSTRA. Mr. Speaker, I thank the gentleman for leading this discussion. I think the real focus here is on controlling spending. Even the gentleman was using the term reducing spending. We are not reducing spending.

The best we can hope for is to slow the growth of spending. If we can slow the growth of spending, we save Social Security, we pay down the debt, we can reform the budget process, and we can provide tax relief. It really opens up and changes the debate in wonderful ways here in Washington.

Mr. NEUMANN. Mr. Speaker, I just want to kind of conclude this conversation this evening with just kind of a summary here. A lot of times what has happened and what is going to happen over the next couple of weeks is this House is going to be divided. We are going to hear the Democrats saying Republicans are proposing tax cuts paid for with Social Security money.

□ 2200

We are going to see some Republicans, myself included, going, "We cannot use that Social Security money for tax cuts." And there is going to be a fight going on. But we need to keep the big picture in mind. For goodness sakes, in 3 years we have gotten to that balanced budget that was not promised to be here until 2002. We have got our job done.

The only reason we are having this fight at all is because we have gotten to a balanced budget and we are running surpluses, not in 2002, like the Republicans promised when the Republicans took over in 1995. That is not what happened. We did not get there in 2002. We got there in 1998.

It is about time I think that some of the people that are responsible for this get some of the credit for doing it. By controlling government spending, we brought a tax cut about first time in 16 years. We brought about the first balanced budget since 1969. These things have happened and the credit for these things ought to be given out here so that as we are having these fights that are currently going on, we realize that had we not turned this spending growth rate around, we would not be having these discussions at all. There would not be any fight about tax cuts using Social Security money. That fight would not be going on if we had not done our job properly.

So as we have these disagreements amongst thinking people that can disagree, we should also remember to put credit where credit is due. Because without the people that are leading this Congress today, certainly we would not be in a position to have this discussion. And it is a great, great discussion to be having.

Think if somebody would have told us 4 years ago, or 3 years ago that we would be standing here on the floor of the House in 1998 fighting about whether or not we should use the surplus for tax cuts or for Social Security or, as we are beginning to hear about, new spending. What a wonderful fight. Nobody would have dreamed we could have had that fight.

Mr. Speaker, I think it is important that we keep in perspective just how far we have come in this country in such a short period of time so we recognize what our potential is as we move forward.

Shortly we are in a position where we can put aside all the Social Security money and start paying back the money that has been taken out of Social Security, and our seniors can again get up in the morning understanding that Social Security is safe.

We are in a position that the general fund is in surplus as well, so we can make payments on the Federal debt and pay it off much like any American would pay off their home mortgage. Thirty years from now, 25 years from now, if we will just do that, we can give America to our children debt free. When we think of goals for a generation, would it not be a wonderful goal for our generation to make those payments on the debt and give America to our children debt free?

At the same time that general fund is in surplus, let us make our mortgage payment and take what is left over and use it for tax cuts. We can do that. We can pay off the debt, we can lower taxes, and we do not have to use Social Security money to do it.

Mr. Speaker, I conclude tonight by encouraging my colleagues to support tax cuts, because the tax burden is too high. But let us not, for goodness sakes, do tax cuts with Social Security money when we are right on the verge of being able to fix Social Security at least from now through 2030, start paying off the debt, and still provide significant tax relief to the American people. That is the direction that we should be heading with our Nation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COOK). Members are reminded to refrain from characterizing Senate action or inaction.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 128, CONTINUING APPROPRIATIONS, FY 1999

Mr. SOLOMON (during the special order of the gentleman from Wisconsin (Mr. NEUMANN)) from the Committee on Appropriations, submitted a privileged report (Rept. No. 105–724) on the resolution (H. Res. 541), providing for consideration of the joint resolution (H.J. Res. 128) making continuing appropriations for the fiscal year 1999, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4569, FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS ACT, 1999

Mr. SOLOMON (during the special order of the gentleman from Wisconsin (Mr. NEUMANN)), from the Committee on Rules, submitted a privileged report (Rept. No. 105–725) on the resolution (H. Res. 542) providing for consideration of the bill (H.R. 4569) making appropriations for foreign operations, export financing, and related programs for fiscal year ending September 30, 1999, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3248, DOLLARS TO THE CLASSROOM ACT

Mr. SOLOMON (during the special order of the gentleman from Wisconsin (Mr. NEUMANN)), from the Committee on Rules, submitted a privileged report (Rept. No. 105–726) on the resolution (H. Res. 543) providing for consideration of the bill (H.R. 3248) to provide dollars to the classroom, which was referred to the House Calendar and ordered to be printed.

RESHAPING THE INSTITUTIONS OF AMERICAN SOCIETY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin (Mr. OBEY) is recognized for 60 minutes.

Mr. OBEY. Mr. Speaker, first of all, let me apologize for keeping you here after 10 o'clock at night. Also, let me apologize to the staff. I do not ordinarily talk to myself in an empty room, as the other two gentlemen have been doing for an hour. But there is something tonight that I feel I simply have to get off of my chest.

Mr. Speaker, I intended to speak tonight to address some of the institutional failures that I believe are besetting this country as we deal with the matter involving the President. The Speaker's recently announced guidelines about what comments are permissible about the Starr report that we voted to release, and the President's conduct, prevent me from saying on the floor certain things that I wanted to say. In deference to those guidelines, I will honor them. But the whole text of what I intended to say will be available in my office.

Mr. Speaker, Friday night after 2 hours of reading, after our vote on Friday, I began to wonder about the correctness of my vote earlier that day in light of my concerns about the appropriateness of what should be electronically directed into people's homes in this country. Taking a break from my reading, I turned on the TV to see, as an unreconstructed Cubs fan, if I could find out whether Sammy Sosa had hit another home run again. The tube came on, and within seconds I heard a CNBC reporter using language that I never expected to hear on the Nation's national news programs, or what passes for them these days. And at that moment I reached the same conclusion that millions of Americans have probably reached. I have had it. Not just with this story, but with something far more disturbing.

What I felt was a conclusion that has been building within me for months, even years. I was overwhelmed with the feeling that our society and our country is faced with nothing less than the accelerating failure of institutions that are central to our functioning as a decent society and as a democracy that works the way our Founding Fathers wanted it to work.

Mr. Speaker, please do not misunderstand. This is a great country. In many ways, it is a good country. There is much that is good in our society and we have had much good economic news in recent years. Nonetheless, I believe that most crucial institutions and institutional arrangements in this country and in this society are failing in their responsibilities. That failure is affecting our economy, our culture, our political system, our long-term environmental security, and even our own spirituality.

The evidence of the failure of our most important institutions is all around us in this and other events. At the moment our Nation is transfixed on this episode, global challenges face us everywhere. The world's economy is in turmoil. We have almost no tool but persuasion to move the Japanese Government off a course of economic and fiscal impotence and incompetence that threatens the economic health of all of Asia and indirectly threatens our own economic health as well.

International financial institutions such as the International Monetary Fund are being overwhelmed by changes in the world economy, changes in currency relationships, changes in capital flows that each day weaken the ability of the major institution the world has to stabilize economic relationships between nations, the IMF.

The Nation with the largest arsenal of nuclear weapons that could possibly one day be arrayed against us, Russia, is experiencing political and economic chaos. Much of Europe is focused on that chaos, but here in America we give it only intermittent attention and analysis.

The most irrational, paranoid, and dangerous government in the world, North Korea, is facing military, political, and economic instability that could easily threaten the lives of 50,000 American servicemen and women stationed in South Korea, and hundreds of thousands of other human beings.

Our ability to prevent the spread of nuclear weapons has been brought to the edge of failure by events on the Indian subcontinent and in Korea. And yet the discourse in this country about how to deal with that issue is shallow and in some cases down right dangerous.

The best chance in a generation for peace in the Middle East is slowly but surely sliding away, and this decade has produced the hottest known global temperatures in years with huge potential consequences for worldwide agriculture, fisheries, economic dislocation, public health, and environmental stability. And yet commercial disputes about profit levels are threatening our ability to take even marginal action to minimize potential catastrophe.

On the home front, the Supreme Court, the institution that we in the end rely upon more than any other to preserve the balance of forces that protect our democratic processes and our liberty, has handed down two very different sets of decisions that have crippled the ability of our political system to function as a democracy should.

First, the spectacularly myopic decision by the Court in the Paula Jones case that the government would not be distracted if that case went forward now rather than 2 years from now and the President was out of office.

Second, the mind-bogglingly naive decision that the constitutional rights of Americans to have a political system that functions for them would be protected by a series of naively libertarian decisions that equate money with speech, establish absurd legalisms about campaign financing that have no relationship to reality that have turned politics into a money chase and political campaigns into the competition of dollars rather than ideas.

Other domestic institutions are also failing in their fundamental responsibilities. Large sections of corporate America are making economic decisions devoid of any values except the maximization of financial benefit to the management and investment elite of this country, in almost total disregard of the impact of those decisions on low workers, their families, and their broader communities which have nurtured them.

These decisions and policy decisions by government have together produced the greatest disparity between the economic well-being of the wealthiest 5 percent of our people and everyone else in the modern history of our country. If we as a people are concerned with moral outcomes, should we not be just as concerned about how the Nation deals with poor people and sick people as we are about how we deal with each other on matters of sexual intimacy?

The political elite has largely debased what passes for political dialogue on many crucial issues. It has allowed its reliance on the community of pollsters and consultants to produce the lowest common denominator discourse in which winning and holding power drive out almost any consideration of the need to educate and enlighten the public on every front.

Is there no length to which we will not go to hold or seize power? Is there no amount of pain we will not inflict on each other for political gain?

More and more individuals are entering Congress and other political institutions who see issues not as problems to be confronted, but concerns to be manipulated and toyed with around the margins in order to seize and hold power.

So many debates are split along party lines and driven by the ideological enforcers, the modern-day American counterparts of Mikhail Suslov, the old guardian of the purity of Soviet orthodoxy, that when bipartisanship does occur, we are almost startled by its appearance.

The focus and limits of much of that debate is set by political elites in both parties who rub shoulders with the financial and economic elites of the Nation far more often than they do with everyday working people. The press itself, with all too few lonely and valiant exceptions, some of whom work in this building, has fallen into the same bad habits it legitimately criticizes in the politicians it covers.

The press too, especially the electronic media, drawn by the realities of the marketplace has often become little more than the public affairs entertainment division of profit-making corporations who will do almost anything to preserve market share instead of responding to the public's needs to understand the substance of issues before the country.

The press, driven by market surveys and polls, produces story after story that portray politicians as gladiators and celebrities, rather than problem solvers, responding to and strengthening some of the most unhealthy public biases on the landscape.

For every question that I get from a reporter on the substance of an issue, I get five from other reporters about the politics of that same issue, reflecting both a laziness and a shallowness that this country simply cannot afford. And worst of all, some reporters cannot resist using any device to win a point, no matter how much damage they do to the country and innocent individuals in the process.

One need look no further than the reporter who last Sunday on a Sunday talk show in an interview with a guest snidely asked that guest what his wife's definition of sex was. That reporter owes his own profession, his viewers, and the wife of that guest a public apology for his own inability to resist his Dennis the Menace impulses which have increasingly made that reporter a caricature of himself. Is there no length to which some members of the press will not go in order to humiliate other human beings, all in the name of news values? I wonder.

Even religious institutions have allowed themselves to fail the Nation in too many instances and have allowed politicians to manipulate religious concerns more to find political advantage than to find spiritual answers.

□ 2215

Debates and discussions about the nature of humankind and our origins, our purpose and our relationship with our creator are essentially conversations about the unknowable, at least in this life. Yet the certitude with which some political and religious figures attack those who have legitimate differences of belief are disheartening and appalling and border on the sacrilegious. Too many political and religious leaders alike have allowed religion or the superficial reference to religion to be used for nonreligious purposes. They wrap political, commercial and ideological preferences in religious ribbons and desecrate both religion and politics in the process. The 10 Commandments represent a guide for living and for the treatment of others. They are not supposed to be a road map for human beings or politicians to destroy each other. They are not a political program or an economic program. As Mario Cuomo once said, "God is not a celestial party chairman." To the best of my knowledge, God has not yet taken a position on capital gains or other tax plans. But you would never know it by listening to some of the self-promoting political manipulators who pass themselves off as the clergy of the tube. Politicians have no special qualifications to judge the private lives of other people. In the end, only God can do that. The nuns at St. James taught me a long time ago that we have enough to do worrying about the stewardship of our own souls to pass judgment on the private lives of others. Neither do religious leaders have any special competence to judge the specific mechanisms by which elected officials in a democracy accomplish decent public ends. Those of us in public life owe due consideration to their opinions, but we have, after all, taken an oath to uphold the Constitution in accordance with the dictates of our own conscience, not someone else's. That is our own sacred public duty under the Constitution. We religious and political leaders alike have allowed debates about religious truths and values to be used all too often as weapons to inflict pain and gain political advantage rather than as tools to find moral answers that take decent account of the moral values of others as well as ourselves. We have all too often allowed the substitution of moralizing for morality, and have allowed the search for God to become a journey that develops hatred and contempt rather than love for our fellow searchers.

Example. On abortion, an issue which we will be debating again for the thousandth time tomorrow, perhaps the most agonizing, troubling and divisive of all moral debates in the public realm. On that issue, both sides have allowed their own certitude about the will of God or their dedication to unbending individualism, their desire for tactical advantage, to get in the way of their responsibility to recognize good intentions and honest nuances of conscience. And so that debate has become more and more a political manipulation of the legislative process rather than a search for areas of agreement that would reduce the world's acceptance of abortion at the same time that it recognizes the dignity of individual conscience.

All of these institutional failures, I believe, are rooted in two fundamental shortcomings: One simply, a lack of knowledge or understanding about how the world and institutional relationships are changing; the other is the triumph of a me-first rampant materialistic individualism that prevents the leaders of almost all of our social, political, commercial, informational and religious institutions from really focusing on the answers to one simple question: In addressing whatever decisions confront us, how can I or we take into fair account the needs, concerns and interests of those who are not just like us in social or economic standing, cultural outlook or political or religious beliefs? That is the important question.

We desperately need to address our key institutional shortcomings, because institutions are the major tools available to any culture, to any nation, and to any society to shape its future. Yet we continue to be transfixed on the Starr-Clinton-Lewinsky soap opera. The Nation has been moved to this focus because of two people largely. First, Mr. Starr. On a number of accounts, Mr. Starr represents the overreaching zealotry of a personally upright but ideologically and politically partisan individual who before he was appointed special prosecutor was already contemplating filing a court brief on behalf of Paula Jones and who had indicated he was planning to join Pepperdine Law School, an institution financed in large part by a person who has contributed millions of dollars to try to bring down the President. Mr. Starr from all reports is a fine, upstanding human being. But a person of his partisan and ideological mind-set should in my view never have been appointed to a position that calls for, above all, unquestioned fairness, balance and judgment. President Clinton is the second person. Up to this point he has been the most personally talented politician of his generation. He appears to be a person of good heart and courage who wants to do good things for the country. But it has often been noted in the press that the President's causes have been both promoted and crippled by a tendency to use language in ways that are technically in conformance with the truth but often result in obscuring rather than clarifying.

As frustrating as I feel about parsing of language in this episode, I am even more unhappy about the lack of candor demonstrated by both the President and congressional leaders in jointly obscuring the real effect of the budget agreement they both sold to the Nation last year on our ability to meet our domestic responsibilities in strengthening education, health, environment, housing and social service. Why does that frustrate me more? Because the second was a public event which had direct, substantive consequences for American citizens and their families on questions that we will be voting on every day.

At this point, some things are clear to me and some things are not. I cannot really reach a final judgment on this depressing matter until I have had an opportunity to have all of the appropriate information. But my first impressions are these. First, after four years and the expenditure of over $40 million since Mr. Starr was first appointed to review the facts surrounding

the Whitewater land deal in Arkansas in the 1970s, we still have no finding of illegal conduct by the President in Whitewater, no finding of illegal conduct by the President in the investigation of the White House travel office which Mr. Starr subsequently undertook, no finding of illegality by the President on the matter relating to the FBI file case. At this point all of the Nation is focused on something which had not even occurred when Mr. Starr was first appointed independent prosecutor.

At this point, Mr. Speaker, I intended to comment on some of the concerns I had about both Mr. Starr and the President, but I am precluded by the Speaker's guidelines from doing so. The complete text of what I had to say on this point will also be available in my office, but I will not address them here.

As we ask the question, what is the proper action for Congress to now take, I will say that this episode in many ways is very different than Watergate. The actions in Watergate involved burglarizing and wiretapping political opponents, attempting to use the IRS to intimidate political opponents, financial payoffs to defendants in criminal cases, and other uses of the levers of governmental power to subvert the very democratic processes that underlie the essence of America. In considering an appropriate action for the Congress to take, I would urge the House to consider the course it took in another case a year earlier. At this point, what is important for us to determine is what is the best thing for the country. A congressional reprimand or other sanction may prove to be the most appropriate action, especially if it allows Congress to end this matter in a much shorter period of time so that the Congress and the presidency can refocus our attention and activities from issues of the past to the future public needs of the Nation and the people we are supposed to represent. I do not know how this sad chapter will end, but I do know that this episode and the way it has been handled by the leadership circles of our major institutions demonstrates a desperate need to examine how we can renew those crucial institutions.

In two years, the millennium will draw to a close. This Nation's institutions are simply not ready to lead the country into a new one. I would never in three lifetimes call for a new constitutional convention, because this generation of political leadership in my judgment is highly unlikely to improve on the work of the Founding Fathers. It is much more likely to muck it up. But I do believe we need to have millennium conventions convened for the purpose of examining ways to reshape, redirect and refocus almost all of our institutions, economic, corporate, political, communication, religious and even our international institutions, such as the IMF, the U.N. and NATO. In the political arena, we need special attention paid to the presidential nominating process to try to find ways to reduce the importance of candidates' media skills and increase the role of peer review by people who know the candidates best if both parties are to produce candidates with the qualities necessary to lead this country.

I do not know how we can change the human heart, but we do need to find ways to reshape the major institutions of this society so that there are more incentives to produce a new focus on selflessness. That is the major task we each face as individuals on life's journey. We need more help and less hindrance from the institutions that dominate our lives along the way.

ISSUES SURROUNDING REPORT OF INDEPENDENT COUNSEL

The SPEAKER pro tempore (Mr. COOK). Under the Speaker's announced policy of January 7, 1997, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. Mr. Speaker, like most if not all Republicans in the House, I have refrained from making speeches or public statements about the current scandal gripping the White House. I have said on numerous occasions that there are more important issues I would rather the public focus on, like, for example, using American technology to upgrade Communist Chinese rockets, thus putting millions of American lives at risk of nuclear incineration. That is something I would like the American people to pay attention to. I would rather see investigative journalists tracking down the details of Communist Chinese money that was laundered into the last presidential campaign. I never did understand how those impoverished Buddhist monks ever got those $5,000 checks to turn over to the President's reelection effort. We never did find that out, did we? I wonder where that came from.

Anyway, there are other things that are much more important than the current scandal that seems to be gripping onto everybody's attention. We Republicans have done our best to let the Starr investigation run its course without adding to the shrillness of the voices heard throughout the land.

□ 2230

Most of us honestly believe that it is a tragedy that a young lady who asked for an apology for ungentlemanly conduct did not get those words of apology that she sought, and had that happened, had she received the apology she was looking for, there would have been no civil case, there would have been no depositions, there would have been no lying under oath, there would have been no need to seek information to see if the offending actions were or were not part of a pattern of personal abuse. This country would have been spared all the humiliation and the spectacle of it all. Well, except for the fact that arrogance came to play and there was a refusal to apologize for offensive behavior. But for that, this thing would have gone away.

But this disgusting scenario has played itself out, and it has been all too public, and it has played itself out without the prodding of Republican Members of Congress. We have, for the most part, tried to maintain decorum, we have tried to maintain our position so that, if necessary, we would be ready to deal with the worst eventuality if we were called to make judgments.

One of the most respected leaders of this body admired by Republicans and Democrats alike is HENRY HYDE, chairman of the Committee on the Judiciary. He, more than any other, has attempted to remain aloof from the bitter rhetoric and accusatory language that swirls throughout the land due to this ever growing scandal.

Today many of us were horrified to hear that the gentleman from Illinois (Mr. HYDE) was the target of a vicious personal attack and that that personal attack has all the appearances of an effort to intimidate not only Mr. HYDE, but other Members of Congress.

Upset with Mr. HYDE's leadership even before the hearings begin, a media outlet saw fit to disclose an indiscretion, an affair Mr. Hyde committed 30 years ago.

The smearing of Republican Congresswoman HELEN CHENOWETH disclosing an indiscretion of 15 years ago, and now the trashing of the chairman of the Committee on the Judiciary, HENRY HYDE, is a blackmail message to every member of Congress. It is an ugly and possibly illegal tactic designed to cower Republicans.

Yes, no one is perfect, no one in this body is per, either Republicans or Democrats; we understand that. And there is no jury in the world that ever goes to try someone in court which is composed of perfect individuals either. But there is a difference between an indiscretion or something that someone has an imperfection, and there is a big difference between that and lying under oath and asking others to lie under oath in order to thwart a civil suit that was itself a product of misconduct.

The vicious attack on Mr. HYDE underscores that the issue at hand in Washington is the abuse of power, of arrogance and of a willingness to act without shame in having one's own way.

Those people who pushed this story of a 30-year-old indiscretion have strengthened the resolve of the Republicans to stand tough. Not one of us is perfect, or not one of us has, you know,

has a situation where we do not have something in our past that we would prefer not to be made public. But we will not be intimidated.

Years ago in the Nixon administration Charles Colson, a legal counsel to the President, showed one-half of one FBI file to a journalist. That file contained derogatory information about a critic of the administration. For that repulsive and undemocratic personal attack Mr. Colson was convicted of a felony and sent to Federal prison.

Now we all know that in this administration hundreds of FBI files made their way into the hands of a democratic opposition researcher who was on the White House staff. No one has ever been held accountable for these hundreds of FBI files that were so abused. And an enormous effort was made to throw dust into the air and confuse the issue and obscure it from public scrutiny until it was forgotten, just like perhaps those $5,000 checks from those Buddhist monks are now forgotten or just a distant memory.

By the way, whatever happened to those things? Whatever happened to the FBI files? Who was accountable for that? These are things that have never been answered, but it is forgotten now because so much dust is in the air.

We have seen from this administration a willingness to destroy any adversary, far beyond anything that Richard Nixon ever dreamed of. Richard Nixon, yes, had an enemies list. It was a list of names with whom the White House would not cooperate. These were people who, the enemies list were people who would not be invited to luncheons or to special briefings or given any special type of treatment. That is what the enemies list was under Richard Nixon.

This administration seems to have a hit list of people who are targeted for personal character assassination. Paula Jones was mistreated and then disparaged and brutalized for asking for an apology. Now we see attacks on Members of Congress. DAN BURTON was investigating, Congressman DAN BURTON was investigating, campaign corruption, had nothing to do with any other personal things that are going on, any other scandals that are going on, but he was investigating campaign corruption, and his own personal shortcomings of long ago were rubbed in his face. He, too, will not be intimidated. He, too, is standing tough.

The public does not expect us to be perfect, it does not expect it. Does not expect DAN BURTON to be perfect, does not expect me to be perfect, does not expect any Republican Member or any Democrat Member to be perfect because none of us are. But it is not hypocrisy for those of us who are not perfect to look into the abuses of power, to look into felony obstruction of justice, or perjury, of lying under oath, and we should be able to do that without someone threatening to disclose some information about an indiscretion of years ago.

It appears that the House of Representatives may soon be called upon to judge evidence and make determinations. Any attempt to blackmail or intimidate us, to make us cower for fear of personal embarrassment, will not work. And if it is found that these attacks can in any way be traced to those under investigation, it will be the last straw.

The American people are tolerant, sometimes to a fault. They are long suffering and slow to anger. But those who would tamper with the jury, blackmail and intimidate and conduct the most vicious type of personal attack on one's adversaries, will feel the wrath of the American people and will unify this Congress. On both sides of the aisle we will come together because we believe, as Members of this body, that this is an American institution that is dedicated to the proposition that we are better than that, better than they that do things in other more totalitarian, less democratic countries. We are better than that here in the United States of America, and in the capital and in the Congress of the United States we will hold to a higher standard.

Mr. Speaker, this is an issue of utmost importance. It took my breath away today when I heard that HENRY HYDE had been attacked in this way. As I say, we had seen this with HELEN CHENOWETH and DAN BURTON before. We had seen critics of the administration suffer these type of personal attacks, and we have heard stories of things that happened in the past to critics, and it is something that goes beyond the bounds.

This cannot be tolerated. It is a crossing of the line. Mr. HYDE is a well-respected, a very well-respected Member of this body, and not only have they shown they can do this to Mr. HYDE, but they have done this to others, and they can do to the chairman of the Committee on the Judiciary this? If we let this go by, it is just admitting that our standards of our country have sunk to that level, and we cannot let that happen, and I would yield to my friend from Arizona.

Mr. HAYWORTH. I thank my colleague from California.

Mr. Speaker, I would say tonight, ladies and gentlemen who join us here in this Chamber and those who watch these words coast to coast and beyond through the facilities of C-Span and other satellite networks, that sadly a scourge has descended on this Federal capital district, on this capital city, a scourge borne of a cynicism, a scourge borne of a scorched earth policy. And, Mr. Speaker, my colleagues, I think it is important to note some basics at this hour of need in our Nation.

First and foremost, every Member of this body, as well as those who serve in elective capacity within the Executive Branch and those in the Judiciary, take an oath of office to uphold and defend the Constitution of the United States. And at this hour in this place at a time of grave national concern we would do well to remember the words of our founders in Article 2, Section 4, when it comes to discussion of the Executive Branch. Our founders write, and I quote:

> The President, Vice President and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery or other high crimes and misdemeanors.

Those are the words of our founders. Those are the words of the document which Katherine Drinker Bowen characterized as the miracle at Philadelphia. Those are the words to which we took an oath of office to protect, uphold and defend.

And I share my colleague from California's amazement and outrage that in this city, at this time, there are those who would pursue a scorched earth policy to try and convince the American people that, quote, everybody does it.

Well, Mr. Speaker, no. Everyone does not do it.

□ 2115

Everyone does not lie under oath. After making a promise to God, after making a promise to the citizens of this nation, after swearing an oath to uphold and defend the Constitution of the United States, at long last, have they no dignity? Have they no sense of honor?

Those who through the media and who through whispered comments and who through telephone calls would besmirch the dignity of those who serve in this branch under the cynical and sick notion that everyone does it, Mr. Speaker, I give the American people far more credit.

I understand the burdens that confront the average American family. Indeed, we have seen it here and my colleague from California will attest, I have come to this well, as has he, and as have others, to point out that the median American family today surrenders well over a quarter of its income in taxes to the Federal Government as opposed to the median American family in 1948.

I understand the workload that confronts moms and dads around this country, where one spouse chooses to work not voluntarily but out of necessity, to pay the tax bill.

I understand the stresses and strains on average Americans simply to pay their taxes and to feed and educate and clothe their children and yet I understand what our founders meant in this document. Let there be no mistake, to those cynics who offer the tactics of smear and fear, the citizens of this great country and those who serve in

this body will not be intimidated. Freedom has come at far too great a price.

The Constitution is far too valuable for those peddlers of petty gossip to sustain a position of supremacy.

Mr. Speaker, their actions speak clearly. They have no decency. They hold no harbor for the rule of law, and they certainly fail to adhere to the edicts of the Constitution, but our founders, in their prescience, in their foresight, in their resolve, offered constitutional remedies to this House and to this nation. No one approaches these remedies with glee, for our oath is to the Constitution, not to partisan political advantage.

As my colleague from California points out, the peddlers of gossip, cynicism and despair continue to wage their sinister tactics.

Would that it were not so. Would that we could come to this chamber to discuss policy differences, earnestly held, sincerely championed. Yet, even though there are grave concerns that confront this nation, from the concept of providing for the common defense, as my colleague from California pointed out, to the challenge of making sure that American families hold on to more of their hard-earned money and send less of it to Washington, even with those pressing concerns, not to mention the concerns of education that confront every family, there is no more pressing need, Mr. Speaker, than to champion the adherence to the rule of law in this constitutional republic, at this time, in this place, Mr. Speaker, the most hallowed of American institutions.

To those, Mr. Speaker, who would weave a cynical web of gossip and cynicism, we say, shame, shame on your cynical tactics, shame on your crawling into the gutter, shame on your cheap, reprehensible notions that you can claim simply that everyone does it.

For, Mr. Speaker, even though as I stand as a human, as the Apostle Paul said, all have sinned and fallen short of the glory of God. Even as we understand the difference between mistakes, so, too, Mr. Speaker, do we note the distinction of crimes. If we are to suggest that, one, for whatever reason, is excused from the oath before God and man, not of high office but simply to tell the truth in interpersonal matters, then we have abandoned the rule of law and we have surrendered that which makes this constitutional republic the last best hope of mankind. It transcends party. It transcends personality. It goes to the core of what it means to be an American.

Mr. Speaker, again, to those who would crawl into the gutter, who would whisper to the magazine writers, who would whisper to the television journalists, Mr. Speaker, in all sincerity and all humility I must ask, have they no shame? At long last, have they no shame.

Worse, Mr. Speaker, have they no reverence for our constitutional republic and the concept of freedom, which is every American's, conditional upon the rule of law?

These are not tranquil times. No matter the Dow Jones industrial average, no matter the rate of return in the bond market, if we face a crisis of personal integrity in the social will to tell the truth, then we indeed face a crisis. If we continue to hear from the punditocracy that the rule of law makes no difference, then we confront a crisis as grave as the missiles that may be aimed at us, a crisis of spirit.

Mr. Speaker, I reject that notion. I know full well from hearing from the constituents of the Sixth District of Arizona, to whom I have listened in the past few months, in knowing of the concerns of my colleague and others on both sides of the aisle, we know full well what is at stake and we heap disdain on those who would try to change the subject through cheap gossip.

Mr. ROHRBACHER. Reclaiming my time, Mr. Speaker, if the gentleman would like to stay we can have a colloquy on this. I would just like to point a few things out.

I worked in the White House for 7 years under Ronald Reagan, and I worked in all of his presidential campaigns. I was very close to President Reagan. I was, in fact, a speech writer for President Reagan and special assistant to the President and was privy to many, many internal discussions about how to confront various challenges to the administration.

At no time during my many, many years with Ronald Reagan did I ever hear anyone ever suggest that we launch some type of personal attack on an adversary, especially dealing with Congress, especially dealing with the chairman of a committee like the Committee on the Judiciary. At no time did I ever hear a suggestion in the Reagan White House that we should leak some negative information about somebody's personal life to a reporter. Never did I hear that.

In the 10 years since I have been here, let me just say, even the most aggressive fights that we have had on the floor here of the House of Representatives, never has anyone from the other side of the aisle or anyone on this side of the aisle that I have heard of, talked about, well, let us get that person by leaking some personal information about them, about some indiscretion they had years ago or some sort of personal problem that they might have. It just does not happen.

We have a comity here that speaks well of democracy. There has to be a certain degree of goodwill in democracy. Those standards of goodwill and comity are especially important at times of crises as we are now facing in the Nation's capital.

I never heard it when I worked at the White House and I have not heard it here but yet today we hear, after hearing stories of the gentlewoman from Idaho (HELEN CHENOWETH) of 15 years ago, the gentleman from Indiana (DAN BURTON) of long ago and now the chairman of the Committee on the Judiciary has had some indiscretion he committed 30 years ago made public.

It is a message to all of us here. It is a message to say, either go along or we are going to find something on you.

We have a Member of our body here, the gentleman from Pennsylvania (Mr. MCHALE), who was on television and announced that he was no longer supporting the President's position in terms of this scandal.

What happened? People tried to leak negative information. Geraldo Rivera on TV tried to bring up some negative personal story about the man that proved to be false. The story itself was incorrect. Even if it was correct, is this the right tactic to use to try to bludgeon people into submission and not to criticize?

Now, when I was a reporter, I was a reporter for about 10 years, that is my profession, I am a writer, and during that time period, we journalists, and the gentleman from Wisconsin (Mr. OBEY) spoke about journalism before he came here, before we got up and talked about people who have to say negative things about other people, but not all journalists are that way. A lot of times, it is not relevant.

Sometimes personal things are relevant, and they are brought out and they are not just brought out for a mean spirited thing. It is because they are relevant. I remember when someone came to me when I was a journalist in Los Angeles and talked about a public figure, an office holder in the Democratic Party, who had been arrested, when he was very young, in some kind of a homosexual act.

They said, this is going to be a big story and you are going to have a chance to break it. This was not the Republican Party, I might add, who was telling me this. I will not go into who it was but it was not someone associated with the Republican Party and it was not a Republican Party office holder. In fact, it was another journalist.

I said, no, I am not going to do this. This was long ago and this has no relationship to this person today and I am just not going to do that. That story never did come out, because I am sure that that story probably went to several other journalists in Los Angeles. I can say right now if that would have been a conservative Republican that story would have come out, and the message from some of the things that are happening right now is that if someone goes up against the President on this issue, they are going to get it.

Now, whoever is going to be dishing it out, we do not know who it is but the message is there. When we have someone of the stature of the gentleman

from Illinois (Mr. HYDE), who is dragged through the mud, and the gentleman from Illinois (Mr. HYDE) is beloved on both sides of the aisle, he is respected on both sides of the aisle, integrity does not mean that you are a perfect human being. Jesus Christ was a perfect human being, but that is the only person I know that ever traipsed upon the earth that is a perfect human being.

To instead of argue a case, instead of arguing the merits of one's position, to go after people like this and to disclose embarrassing information and just to get up here and say this and to challenge this, of course, opens me up to that kind of attack and if we try to get together and do something tomorrow, every one of us will know that we are opening ourselves up to that kind of an attack, but I will state right now for the record, and I am sure my colleague from Arizona will agree, that these tactics will not intimidate the Members of the House of Representatives.

□ 2300

I think it will draw us closer. I think the Members of the Democratic side of the aisle will reject and they will condemn this type of practice and will, in doing so, be drawn closer to those of us on this side of the aisle and our commitment to have an honest hearing of all of the facts that will come to us and make an honest decision. For whatever decision we are called upon to make, we are going to have an honest decision.

Now, we have held our tongues and have not used this floor as a means to manipulate or attack or to use for political purposes this scandal that has been sweeping through our country. We have tried our best, and sometimes we slip a little bit because it is of interest, but we are trying our best. And for some to suffer this kind of personal abuse, and to see a hero, one of our heroes, and by the way, I have had my disagreements with the gentleman from Illinois (Mr. HYDE) too. I had a big fight with him, and my friend, the gentleman from Arizona (Mr. HAYWORTH) was on my side in that fight on the patent issue.

But even in the middle of that fight, I remember how much I respected the gentleman from Illinois (Mr. HYDE).

Mr. Speaker, I am happy to yield to my colleague.

Mr. HAYWORTH. Mr. Speaker, as I hear my colleague from California recount honest policy differences, I am struck by the words of that great and good man, Dwight David Eisenhower, the supreme allied commander in Europe, and later the President of the United States who, Mr. Speaker, instructed all of us, all of us when we have a political dispute, to understand that those who might hold differing views honestly want what is best for the country. This is the distinction we draw tonight, Mr. Speaker.

To those small-minded, sinister, purveyors of the perverse, we say tonight, Mr. Speaker, shame. Shame on you and your tactics. Shame on you and what you attempt to do. For in your attempt, you bankrupt any innovative policy of those who have chosen to stray from constitutional guidelines, those have chosen to stray from the conduct of simple human decency, and those who may have chosen to stray from the rule of law.

That is the statement we make tonight, well aware that those small and sinister minds may work overtime with journalists of their choosing and publications of their philosophy to try and lower us to the muck and mire, and yet Ike's example is there for every American.

To quote the former President and a member of the other body in bygone times, "I am not going to climb into the gutter with that guy," said President Eisenhower. And those of us of both parties join in the example of Ike to say, no, it is not time to climb into the gutter. Instead, it is a time to champion the truth, the constitutional remedies at our disposal for the people, because principle outstrips polling and outstrips malicious gossip any day at any time, and especially in this place.

Mr. ROHRABACHER. Mr. Speaker, reclaiming my time, the gentleman brought up Eisenhower. I think it would be interesting to those reading the CONGRESSIONAL RECORD, listening over C-SPAN and our colleagues who are listening at home and in the body, to note a quotation from Adlai Stevenson.

Mr. Speaker, Eisenhower and Stevenson fought a very tough battle for the presidency, not on 1 occasion, but on 2 occasions. And Adlai Stevenson is quoted as saying, my favorite quote from Mr. Stevenson is, "He who throws mud will generally lose ground."

I am afraid that those people who have launched these personal attacks on the gentlewoman from Idaho (Mrs. CHENOWITH) and the gentleman from Indiana (Mr. BURTON) and now the chairman of the Committee on the Judiciary, those people who have tried to destroy Paula Jones when she was asking for an apology for ungentlemanly conduct that was thrown at her, that those people will not be tolerated by other members of the media and other Members of this body. I think that especially now, this attack on the gentleman from Illinois (Mr. HYDE), tomorrow we will see that our colleagues will rally to the gentleman from Illinois, and we will tomorrow reconfirm to one another that that is unacceptable, and that there shall be no more of this, and that this indeed may be the last straw, but if this tactic continues, and if this tactic is traced back to anyone who is under investigation, that that will be the last straw.

There are reports, there are some reports right now that this may well have been something that came out of this White House. Again, just like the charges that we were asked to investigate, let us wait and see. I am not going to state that that is the case because all I have done is hear some television reports. But if the gentleman from Illinois (Mr. HYDE), as the chairman of the Committee on the Judiciary, is faced with some sort of conspiratorial action to have a personal, a vile personal attack against him to disclose some information from 30 years ago, while we are trying to investigate, and again, trying to investigate charges of what? Charges that someone lied under oath, charges that someone has asked other people to lie under oath and things such as that, if we cannot look into this seriously and take that job seriously without having it threatened, that we are in some way going to have some little thing that we have done wrong, and all of us have done things that are embarrassing in our lives, then we have let the standards slip.

This is the United States of America. We are supposed to be better than that here.

There was a movie a few years ago, I do not know if my friend remembers that movie, and it was about somewhere here in Washington, and I think it was the President's choice of a certain ambassadorial job or something, and some personal information was leaked about that person that he had had some homosexual affair or something like that, and the man ended up committing suicide. I forget what the name of that movie is right now. Advice and Consent, that is exactly what it was.

In that movie, I think that it really brought home for those of us who had never been in Washington, when I first saw that I had never been in Washington, and of course it was a wonderful book by Mr. Drury, was it? What that brought home was the fact that we are people here. We are human beings, and we have feelings, and certainly we get mad and angry. I know I got mad today and said a couple of things to somebody I did not want to say.

But this was not an action of anger. What we are talking about is the activity taken against the gentleman from Illinois (Mr. HYDE) was cold and calculated and as low as one can get in this town. We are supposed to be above that.

Mr. HAYWORTH. Mr. Speaker, if the gentleman will yield, indeed, those tactics, Mr. Speaker, are tactics of desperation and depravity, for they fail to make the moral distinction between mistakes, sins, and possible crimes. There is a clear distinction in our society, especially for the latter category. That is why for over 200 years we in this constitutional republic have had an adherence to the rule of law. Yet,

Mr. Speaker, there are those who, through their scurrilous actions, would try to muddy the waters, try to change the distinctions, try to mitigate the circumstances for what could possibly be crimes.

Let us state clearly and unequivocally, Mr. Speaker, for those who join us in this chamber; for those who may watch around the world, a failure to tell the truth under oath is a crime. Not a mistake, not an indiscretion simply, and not simply a sin. It is a crime.

□ 2310

Mr. HAYWORTH. That is the crux of what confronts us at this time, in this place, in this city, and indeed across the Nation.

Mr. ROHRABACHER. Mr. Speaker, reclaiming my time, we of course are seeing that is what the issue is. That is to be determined. We are not saying right now that a crime has been committed.

Mr. HAYWORTH. Indeed.

Mr. ROHRABACHER. But what we are saying is that that is what the underlying tension in this city today is as we are moving forward to investigate a crime. We have done everything that we can do.

My colleagues have not seen me on the floor, and my colleagues have not seen the gentleman from Arizona on the floor. We both would like to speak, and we are politically oriented. We are in the middle of the year. My colleagues have not seen some of the other great, great speakers on the Republican side of the aisle down in the well and making political hay out of this. We are not.

We have not been doing that because we know that that this body has to determine, as the gentleman showed in the Constitution, it is up to us to uphold that standard and determine if a crime has been committed.

God will judge people's sin and morals. It is up to us to make that judgment if a crime has been committed. To have in the middle of this now, to have this word go out that anybody who gets too tough, even the chairman of the Committee on the Judiciary is going to find themselves the subject of a smear. Anything they have ever done wrong is going to be spread all over the newspapers.

This is unconscionable. We cannot let that be the standard here in Washington, D.C. This is all we are really talking about is upholding the standards, the standards that were written down by our Founding Fathers in that Constitution.

There is a lot of talk about moral standards, and I think that is an important issue of discussion; that is not what we are talking about here. We are talking about the law.

By the way, if a simple apology would have been made to someone who was mistreated, and that is all that person was really asking for, everything else had been decided, this need not have come to a head. There did not need to be depositions. There did not need to be someone to be asked an investigation to find out if this kind of conduct was something that was a personal habit that was going on, an ongoing thing rather than just one little incident. That would not have been necessary then.

The lying under oath and trying to protect oneself, it would not have happened except the fact that somebody did not get an apology when they asked for it because they were a simple person, just a simple person who believed that she had been treated not like a lady.

In this country, even a simple person has a right. No matter who that other individual is, no matter what high office they may hold, they cannot treat a citizen in a way without legal recourse.

One note. In Los Angeles, I remember the story of an Arab, rich Arab Sheik that came into town and had lots of money. He was a king or something. Maybe he was a prince or whatever he was. He was a pretty big shot in his own country.

He checked into a hotel, and the bellman was late with delivering something by 5 minutes or something, and this man slapped the bellman. The bellman looked at him and he said, you cannot do that. This is the United States of America. He said, you are a bellman. He said, get out of here.

No, in the United States of America, that bellman has the rights and can have his dignity protected just like that young lady, Paula Jones, had a right to have her dignity protected.

If that prince would have apologized, it probably would have been okay. But he did not, and he was arrogant. In the end, that prince, worth hundreds of millions of dollars, perhaps billions of dollars, had to flee this country because of a civil suit filed by that bellman.

I am proud to live in the United States of America where these people are protected. But it is only the rule of law that protects them. It is only a certain amount of respect that we have for the average person.

Yes, when the average person sues the high and mighty, there are depositions that have to be taken and people have to give testimony under oath in order to investigate personal conduct that may prove that there is some kind of a pattern, a personal pattern in that abuse.

If someone lies during that civil matter, that is a violation of the law. We have to determine whether the law has been violated, whether that happened in this case. We take that seriously.

I am not saying I am in favor of impeachment or if I believe that there is any crime that absolutely has been committed, but we can say that there is enough evidence for us to look into this matter, and we must look into this matter without outside pressures trying to intimidate us to back away or to cower because someone's going to say something bad about our background. It is wrong.

What happened to the gentleman from Illinois (Mr. HYDE) was wrong. What happened to the gentleman from Indiana (Mr. BURTON) was wrong. What happened to the gentlewoman from Idaho (Mrs. CHENOWETH) was wrong.

We are not going to let it happen. We are not going to be intimidated. We are not going to let that happen. We are going to find out whether this could be traced back to the people who are under investigation. We are going to find that out.

Again if it is, if this can be traced back to the person under investigation, this is the straw that breaks the camel's back.

Mr. Speaker, I am happy to yield to the gentleman.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague, the gentleman from California for yielding to me. I would simply stand in support of all that he has said. It is important to make the distinction between charges and crimes. I thank him for that distinction.

I thank the gentleman also, Mr. Speaker, for explaining in his own unique fashion the creed that is inscribed on the magnificent temple of law across the street here in Washington, D.C., Mr. Speaker. For outside the chamber of the Supreme Court of the United States, as one gazes at that edifice, one sees the words "Equal Justice Under Law."

Who among us would alter that notion? Who among us, Mr. Speaker, would perverse or pervert that dynamic, that all who live in this Nation, that all who are blessed with citizenship in this constitutional republic are equal under law? That is the question that confronts us, not the high jinks or tomfoolery or gossip that accompanies the charges that are there, but, instead the simple notion, Mr. Speaker, that no one, no one, no prince, no potentate, no President is above the law.

For in this constitutional republic, if we abandon that notion, then one should simply take a match to this document or tear it asunder. For the rule of law will crumble as will this last best hope of mankind.

Mr. ROHRABACHER. Let me just note this, if the gentleman from Illinois (Mr. HYDE) was being accused of perjury and saying that he had committed perjury in the past, how can he now investigate and have a perjury investigation? If the gentleman from Illinois (Mr. HYDE) was being accused of obstruction of justice, that would be something else. We probably would say maybe there is a point here, and someone has a built-in situation where he

should not be that chairman or something.

That is not what the gentleman from Illinois (Mr. HYDE), what they brought up. That is not what they brought up on the gentlewoman from Idaho (Mrs. CHENOWETH) and the gentleman from Indiana (Mr. BURTON).

Let us say that the gentleman from Indiana (Mr. BURTON) had been accused of all sorts of campaign violations, and of course he is looking into campaign violations himself, these things.

□ 2320

These things, hypocrisy is something that someone can talk about and charge with someone. Someone has a double standard and things such as that. But that is not what has happened here. And, of course, we do know that Mr. Starr, and I have not personally commented on this. This is the first time that I have publicly commented on this. That Mr. Starr, of course, the investigator himself, has been brutalized over and over and again these last few years.

When I was in the Reagan White House, Ronald Reagan was committed to seeing that the communists would not take over Central America. And as much as people do not like to admit that, that was the core issue that was going on. Ronald Reagan was going to stop the Sandinista government, which had billions of dollars of military equipment from the Soviet Union, from expanding and put them on the defensive.

We did that until the Soviet Union collapsed. Because had the Sandinistas started expanding their role, it would have been a terrible thing. Probably communism would not have collapsed because they would have thought they were going to win.

Anyway there were some mistakes made by people in the White House and elsewhere, and we helped the Contras at a time when some Members of Congress felt that it was not legal for us to do so. Let me add, I personally believe that no laws were ever broken in that situation. I personally believe that it was perfectly legal for the President to, although it was not advisable what he did in terms of Iran, but it was perfectly legal for him to try to make those contacts with Iran and there was residual money that was left over that was then transferred to the Contras.

Mr. Speaker, that was a big crisis in the Reagan administration. That was as big as a crisis and upsetting of the natural order of things here as what we are going through now, based on this current scandal. But at no time do I remember that the special prosecutor in that case, that we tried to do anything like is being done to Mr. Starr to the special prosecutor that went after Mr. Reagan.

And, by the way, that special prosecutor spent more money and had more people working for him, I believe, or at least an equal amount, and a number of people, and I do not remember seeing anything in the paper about whether seeing if people believed in the special prosecutor's words as they do now. They have polling as, "Who do you believe? Clinton or Starr?" That did not happen during the Reagan years.

I think Mr. Starr, and believe me, I do sympathize somewhat with the idea that prosecutors should not just have a blank slate and be able to come in and investigate anything in anybody's life until they find something. I understand that. But that is not what the situation is today. We have some specific things that we have to decide here, very specific things about specific statements made under oath that we believe that may well not have been truthful.

Mr. Speaker, we have to investigate that because it was made under oath and involving a civil legal matter. If we do not say that, we just say across the board that it is okay to lie under oath in civil cases. Now we cannot say that. We cannot permit that standard to sink that low.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COOK). The Chair must remind members not to discuss charges against the President.

Mr. ROHRABACHER. Mr. Speaker, I have not mentioned the President when discussing any particular charge. And in fact, some of the charges, some of the things that we have been discussing have no relationship to the President whatsoever. And, in fact, relate more perhaps to some of the President's staff or perhaps to other people in the executive branch. Or perhaps some of the things that we are discussing are aimed more at people who are liberal activists in the news media.

So, although obviously some of the things we are discussing may have some impact on the President, we are not addressing this specifically at the President.

Mr. HAYWORTH. Mr. Speaker, lest there be any doubt, we come to this Chamber, and indeed in the next few trying weeks this should be our cause. This, Mr. Speaker, should be our mission not to address the impending crisis as Republicans or as Democrats, but as Americans. Americans concerned about the future of the rule of law. Americans who understand that our adherence to the rule of law is both central and elemental to our survival in a constitutional republic. Adherence to the rule of law for all, regardless of title, regardless of job, regardless of economic standing, regardless of race, religion, color or creed. This is the essence of what it means to be an American in the late 20th century. To understand that adherence to rule of law is everything. For if we lose that, then, Mr. Speaker, we have nothing. I yield to my colleague.

Mr. ROHRABACHER. In conclusion, let me say that I am pleased that my friend from Arizona joined me here tonight. Actually I am sure he saw me on C-SPAN and decided to come over, working late in his office. He was probably working in his office after 11 o'clock at night and came over here, and I know that has happened to me at times as well.

Mr. Speaker, we are both concerned, and I think that tomorrow that we will see in this body a great deal of concern about this vicious personal attack on the chairman of the Committee on the Judiciary the gentleman from Illinois (Mr. HYDE). And I would hope that it is a source of unity for this body, that we unify tomorrow and say that this is over. This is beyond the pale. This is over the bounds of acceptability. And we will stand together to uphold the standards of law because that is true, both Democrats and Republicans, we realize that like in that movie about the young boys who were on the island, remember that? Somebody else is going to have to help me with this. Lord of the Flies, in that movie Lord of the Flies, I remember I read the book as well, come to think of it. There was a conch that was the symbol of respect for law. But once that respect for whoever held that conch so the people would be quiet and listen to them and they could discuss the issues, once that was destroyed, there was a degeneration into a type of life, a savagery that came out. We will maintain the comity of this body. We will maintain goodwill. Goodwill among free people, goodwill among people who believe in democracy and constitutional government.

What happened with the gentleman from Illinois (Mr. HYDE) was not in keeping with that spirit, and it will not, and let us just state once and for all, we will not be intimidated. Justice will be served. We will make an honest determination of everything that comes before us and personal attacks on us must stop and they will not be tolerated.

HOUSE BILLS AND JOINT RESOLUTION APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution of the following titles:

June 16, 1998

H.R. 824, An act to redesignate the Federal building located at 717 Madison Place, NW., in the District of Columbia, as the "Howard T. Markey National Courts Building."

H.R. 3565, An act to amend Part L of the Omnibus Crime Control and Safe Streets Act of 1968.

June 23, 1998

H.R. 1847, An act to improve the criminal law relating to fraud against consumers.

June 24, 1998

H.R. 3811, An act to establish felony violations for the failure to pay legal child support obligations, and for other purposes.

July 14, 1998

H.R. 651. An act to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes.

H.R. 652, An act to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes.

H.R. 848, An act to extend the deadline under the Federal Power Act applicable to the construction of the AuSable Hydroelectric Project in New York, and for other purposes.

H.R. 1184, An act to extend the deadline under the Federal Power Act for the construction of the Bear Creek Hydroelectric Project in the State of Washington, and for other purposes.

H.R. 1217, An act to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes.

July 16, 1998

H.J. Res. 113, Joint resolution approving the location of a Martin Luther King, Jr. Memorial in the Nation's Capital.

H.R. 960, An act to validate certain conveyances in the City of Tulare County, California, and for other purposes.

H.R. 2202, An act to amend the Public Health Service Act to revise and extend the bone marrow donor program, and for other purposes.

H.R. 2864, An act to require the Secretary of Labor to establish a program under which employers may consult with State officials respecting compliance with occupational safety and health requirements.

H.R. 2877, An act to amend the Occupational Safety and Health Act of 1970.

H.R. 3035, An act to establish an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies.

H.R. 3130, An act to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, and for other purposes.

July 21, 1998

H.R. 1635, An act to establish within the United States National Park Service the National Underground Railroad Network to Freedom program, and for other purposes.

July 22, 1998

H.R. 1316, An act to amend chapter 87 of title 5, United States Code, with respect to the order of precedence to be applied in the payment of life insurance benefits.

H.R. 2676, An act to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, and for other purposes.

July 29, 1998

H.R. 1273, An act to authorize appropriations for fiscal years 1998 and 1999 for the National Science Foundation, and for other purposes.

H.R. 1439, An act to facilitate the sale of certain land in Tahoe National Forest in the State of California to Placer County, California.

H.R. 1460, An act to allow for election of the Delegate from Guam by other than separate ballot, and for other purposes.

H.R. 1779, An act to make a minor adjustment in the exterior boundary of the Devils Backbone Wilderness in the Mark Twain National Forest, Missouri, to exclude a small parcel of land containing improvements.

H.R. 2165, An act to extend the deadline under the Federal Power Act applicable to the construction of FERC Project Number 3862 in the State of Iowa, and for other purposes.

H.R. 2217, An act to extend the deadline under the Federal Power Act applicable to the construction of FERC Project Number 9248 in the State of Colorado, and for other purposes.

H.R. 2841, An act to extend the time required for the construction of a hydroelectric project.

H.R. 2870, An act to amend the Foreign Assistance Act of 1961 to facilitate protection of tropical forests through debt reduction with developing countries with tropical forests.

H.R. 3156, An act to present a congressional gold medal to Nelson Rolihlahla Mandela.

August 5, 1998

H.R. 39, An act to reauthorize the African Elephant Conservation Act.

August 7, 1998

H.R. 643, An act to designate the United States courthouse to be constructed at the corner of Superior and Huron Roads, in Cleveland, Ohio, as the "Carl B. Stokes United States Courthouse".

H.R. 1151, An act to amend the Federal Credit Union Act to clarify existing law with regard to the field of membership of Federal credit unions, to preserve the integrity and purpose of Federal credit unions, to enhance supervisory oversight of insured credit unions, and for other purposes.

H.R. 1385, An act to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States, and for other purposes.

H.R. 3152, An act to provide that certain volunteers at private non-profit food banks are not employees for purposes of the Fair Labor Standards Act of 1938.

H.R. 3731, An act to designate the auditorium located within the Sandia Technology Transfer Center in Albuquerque, New Mexico, as the "Steve Schiff Auditorium".

H.R. 4354, An act to establish the United States Capitol Police Memorial Fund on behalf of the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police.

August 12, 1998

H.R. 434, An act to provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico.

H.R. 1085, An act to revise, codify, and enact without substantive change certain general and permanent laws, related to patriotic and national observances, ceremonies, and organizations, as title 36, United States Code, "Patriotic and National Observances, Ceremonies, and Organizations".

H.R. 3504, An act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy for the Performing Arts and to further define the criteria for capital repair and operation and maintenance.

H.R. 4237, An act to amend the District of Columbia Convention Center and Sports Arena Authorization Act of 1995 to revise the revenues and activities covered under such act, and for other purposes.

August 13, 1998

H.R. 765, An act to ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

H.R. 872, An act to establish rules governing product liability actions against raw materials and bulk component suppliers to medical device manufacturers, and for other purposes.

August 14, 1998

H.R. 3824, An act amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft.

SENATE BILLS AND JOINT RESOLUTION APPROVED BY THE PRESIDENT

The President notified the Clerk of the house that on the following dates he had approved and signed bills and a joint resolution of the Senate of the following titles:

June 16, 1998

S. 1605, An act to establish a matching grant program to help State and local jurisdictions purchase armor vests for use by law enforcement departments.

June 19, 1998

S. 423, An act to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason.

S. 1244, An act to amend title 11, United States Code, to protect certain charitable contributions, and for other purposes.

June 23, 1998

S. 1150, An act to ensure that federally funded agricultural research, extension, and education address high-priority concerns with national or multistate significance, to reform, extend, and eliminate certain agricultural research programs, and for other purposes.

S. 1990, An act to establish a commission to examine issues pertaining to the disposition of Holocaust-era assets in the United States before, during, and after World War II, and to make recommendations to the President on further action, and for other purposes.

July 7, 1998

S. 2069, An act to permit the mineral leasing of Indian land located within the Fort Berthold Indian Reservation in any case in which there is consent from a majority interest in the parcel of land under consideration for lease.

July 14, 1998

S. 2282, An act to amend the Arms Export Control Act, and for other purposes.

July 16, 1998

S. 731, An act to extend the legislative authority for construction of the National Peace Garden memorial, and for other purposes.

July 21, 1998

S. 2316, An act to require the Secretary of Energy to submit to Congress a plan to ensure that all amounts accrued on the books of the United States Enrichment Corporation for the disposition of depleted uranium hexafluoride will be used to treat and recycle depleted uranium hexafluoride.

July 29, 1998

S. 318. An act to require automatic cancellation rights with respect to private mortgage insurance which is required as a condition for entering into a residential mortgage transaction, to abolish the Thrift Depositor Protection Oversight Board, and for other purposes.

August 12, 1998

S. 2344, An act to amend the Agricultural Market Transition Act to provide for the advance payment, in full, of the fiscal year 1999 payments otherwise required under production flexibility contracts.

August 13, 1998

S. 1759, An act to grant a Federal charter to the American GI Forum of the United States.

S. 1800, An act to designate the Federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the "Joseph P. Kinneary United States Courthouse".

S. 2143, An act to amend chapter 45 of title 28, United States Code, to authorize the administrative Assistant to the Chief Justice to accept voluntary services, and for other purposes.

August 14, 1998

S.J. Res. 54, Joint resolution finding the Government of Iraq in unacceptable and material breach of its international obligations.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TAUZIN (at the request of Mr. ARMEY) for September 10, 14, and 15 on account of illness.

Mr. GOSS (at the request of Mr. ARMEY) for today and the balance of the week on account of illness in the family.

Mr. MCHUGH (at the request of Mr. ARMEY) from 12 noon until 6 p.m. today on account of official business.

Mr. BEREUTER (at the request of Mr. ARMEY) from 7:30 p.m. and for the balance of the evening on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. LANTOS.

(The following Members (at the request of Mr. HOEKSTRA) to revise and extend their remarks and include extraneous material:)

Mr. ROGAN, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. HOEKSTRA, for 5 minutes, today.

Mr. SOUDER, for 5 minutes, today.

Mr. KASICH, for 5 minutes, today.

Mr. FOX of Pennsylvania, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PALLONE) and to include extraneous material:)

Mr. KIND.

Mr. ROTHMAN.

Mr. NEAL of Massachusetts.

Mr. SKELTON.

Mr. SANDERS.

Mr. KUCINICH.

Mr. MILLER of California.

Mr. CONYERS.

Mr. MCDERMOTT.

Mr. VISCLOSKY.

Mr. MCGOVERN.

(The following Members (at the request of Mr. HOEKSTRA) and to include extraneous material:)

Mr. FORBES.

Mr. SMITH of Michigan.

Mr. CRAPO.

Mr. ROGERS.

Mr. HILLEARY.

Mr. GILMAN.

Mr. WOLF.

Mr. FOX of Pennsylvania.

Mr. DELAY.

Mr. STEARNS.

Mr. DOOLITTLE.

(The following Members (at the request of Mr. HAYWORTH) and to include extraneous material:)

Mr. DINGELL.

Mr. ROTHMAN.

Mr. FORBES.

Mr. TIAHRT.

Mr. GEJDENSON.

Mr. BALLENGER.

Mr. MCINNIS.

Mr. COSTELLO.

Mr. BLILEY.

Mr. ETHERIDGE.

Mr. BOB SCHAFFER of Colorado.

ADJOURNMENT

Mr. HAYWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Thursday, September 17, 1998, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

10937. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Uniform Physical Condition Standards and Physical Inspection Requirements for Certain HUD Housing [Docket No. FR-4280-F-03] (RIN: 2501-AC45) received September 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10938. A letter from the Assistant Secretary, Department of Education, transmitting the Department's final rule—Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program, Fulbright-Hays Faculty Research Abroad Fellowship Program, and Fulbright-Hays Group Projects Abroad Program (RIN: 1840-AC53) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10939. A letter from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Part 90 Concerning the Commission's Finder's Preference Rules [WT Docket No. 96-199] received September 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10940. A letter from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Part 90 of the Commission's Rules To Provide for the Use of the 220-222 MHz Band by the Private Land Mobile Radio Service [PR Docket No. 89-522] received September 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10941. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule— Risk-Informed Inservice Testing—received September 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10942. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—An Approach For Plant-Specific, Risk-Informed Decisionmaking: Inservice Testing [Regulatory Guide 1.175] received September 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10943. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule— Migratory Bird Harvest Information Program; Participating States for the 1998-99 Season (RIN: 1018-AE96) received August 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10944. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule— MIGRATORY BIRD HUNTING; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 1998-99 Early Season (RIN: 1018-AE93) received August 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10945. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—Arkansas Regulatory Program [SPATS No. AR-030-FOR] received September 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10946. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—North Dakota Regulatory Program [SPATS ND-032-FOR, Amendment No. XXII] received September 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10947. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Uniform Criteria for State Observational Surveys of Seat Belt Use [Docket No. NHTSA-98-4280] (RIN: 2127-AH46) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10948. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-90-30 Series Airplanes [Docket No. 98-NM-136-AD; Amendment 39-10719; AD 98-18-03] (RIN: 2120-AA64) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10949. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Glaser-Dirks Flugzeugbau GmbH Model DG-500M Gliders [Docket No. 98-CE-31-AD; Amendment 39-10671; AD 98-15-20] (RIN: 2120-AA64) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10950. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Jetstream Model 3101 Airplanes [Docket No. 98-CE-54-AD; Amendment 39-10584; AD 98-12-31] (RIN: 2120-AA64) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10951. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB 340B Series Airplanes [Docket No. 98-NM-49-AD; Amendment 39-10449; AD 98-15-23] (RIN: 2120-AA64) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10952. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Willits, CA [Airspace Docket No. 96-AWP-26] received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10953. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Alteration of VOR Federal Airways; WA [Airspace Docket No. 97-ANM-23] (RIN: 2120-AA66) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10954. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Dallas-Fort Worth, TX [Airspace Docket No. 98-ASW-42] received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10955. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Remove Class E Airspace and Establish Class E Airspace; Springfield, MO [Airspace Docket No. 98-ACE-20] received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10956. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Lawrenceville, IL [Airspace Docket No. 98-AGL-2] received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10957. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Columbus NE; Correction [Airspace Docket No. 97-ACE-32] received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10958. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revocation, Establishment, and Modification of Class E Airspace Areas; Cedar Rapids, IA; Correction [Airspace Docket No. 97-ACE-34] received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10959. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Multiple Federal Airways, Jet Routes, and Reporting Points; FL [Airspace Docket No. 96-ASO-20] (RIN: 2120-AA66) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10960. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL-600-2B16 Series Airplanes [Docket No. 98-NM-21-AD; Amendment 39-10425] (RIN: 2120-AA64) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10961. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Twin Commander Aircraft Corporation 500, 520, 560, 680, 681, 685, 690, 695, and 720 Series Airplanes [Docket No. 97-CE-69-AD; Amendment 39-10437; AD 98-07-17] (RIN: 2120-AA64) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10962. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA) Model CN-235 Series Airplanes [Docket No. 97-NM-331-AD; Amendment 39-10538; AD 98-11-11] (RIN: 2120-AA64) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10963. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aeromot-Industria Mecanico Metalurgica Ltda. Model AMT-200 Powered Gliders [Docket No. 98-CE-27-AD; Amendment 39-10670; AD 98-15-19] (RIN: 2120-AA64) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10964. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Transportation Equity Act For The 21st Century; Implementation Of Guidance For Discretionary Program Funds For National Scenic Byways—received September 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10965. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328-100 Series Airplanes [Docket No. 98-NM-54-AD; Amendment 39-10525; AD 98-10-13] (RIN: 2120-AA64) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10966. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney JT8D Series Turbofan Engines [Docket No. 97-ANE-05; Amendment 39-10563; AD 98-12-07] (RIN: 2120-AA64) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10967. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Allison Engine Company Model 250-C47B Turboshaft Engines [Docket No. 97-ANE-40-AD; Amendment 39-10514; AD 98-10-03] (RIN: 2120-AA64) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10968. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model Viscount 744, 745, 745D, and 810 Series Airplanes [Docket No. 97-NM-321-AD; Amendment 39-10444] (RIN: 2120-AA64) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10969. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Alexander Schleicher Segelflugzeugbau Models K 8 and K 8 B Sailplanes [Docket No. 98-CE-02-AD; Amendment 39-10721; AD 98-18-05] (RIN: 2120-AA64) received August 31, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10970. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Interest on bonds to finance certain exempt facilities [Revenue Ruling 98-47] received September 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10971. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, first-out inventories [Revenue Ruling 98-48] received September 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10972. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Interest Rate [Revenue Ruling 98-46] received September 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10973. A letter from the Director, Congressional Budget Office, transmitting CBO's Sequestration Update Report for Fiscal Year 1999, pursuant to Public Law 101—508, section 13101(a) (104 Stat. 1388—587); to the Committee on Appropriations.

10974. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting notification that the Commander of Air Force Material Command is initiating a cost comparison of the Air Force Research Laboratory support functions at Wright-Patterson Air Force Base (AFB), Ohio, pursuant to 10 U.S.C. 2304 nt.; to the Committee on National Security.

10975. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting notification that the Commander of Air Force Material Command is initiating a multi-function cost comparison of the Civil Engineering functions at Wright-Patterson Air Force Base (AFB), Ohio, pursuant to 10 U.S.C. 2304 nt.; to the Committee on National Security.

10976. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting notification that the Commander of Air Force Material Command is initiating a multi-function cost comparison of the Communications and Telephone Services functions at Wright-Patterson Air Force Base (AFB), Ohio, pursuant to 10 U.S.C. 2304 nt.; to the Committee on National Security.

10977. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting notification that the Commander of Travis Air Force Base (AFB), California, has conducted a cost comparison to

reduce the cost of the Military Family Housing Maintenance function, pursuant to 10 U.S.C. 2304 nt.; to the Committee on National Security.

10978. A letter from the Acting Chairman, Thrift Depositor Protection Oversight Board, transmitting the annual report of the Thrift Depositor Protection Oversight Board for calendar year 1997; to the Committee on Banking and Financial Services.

10979. A letter from the Director, Office of Management and Budget, transmitting a report to Congress on direct spending or receipts legislation; to the Committee on the Budget.

10980. A letter from the Director, Office of Management and Budget, transmitting a report to Congress on direct spending or receipts legislation; to the Committee on the Budget.

10981. A letter from the Director, Office of Management and Budget, transmitting a report to Congress on direct spending or receipts legislation; to the Committee on the Budget.

10982. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. 20-98 which constitutes a Request for Final Approval for Amendment 1 to the Memorandum of Understanding between the U.S. and Germany concerning cooperative production of the MK-31 Guided Missile Weapon System which is known as the Rolling Airframe Missile (RAM) Block 1, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

10983. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Germany (Transmittal No. DTC 38-98), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10984. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a report regarding the terrorist attacks on the American Embassy in Nairobi, Kenya and the American Embassy in Dar es Salaam, Tanzania; to the Committee on International Relations.

10985. A letter from the Acting Comptroller General, General Accounting Office, transmitting a monthly listing of new investigations, audits, and evaluations by the General Accounting Office to the House and Senate Leadership; to the Committee on Government Reform and Oversight.

10986. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the study report for the Ala Kahakai Trail in Hawaii; to the Committee on Resources.

10987. A letter from the Principal Deputy Assistant Secretary for Congressional Affairs, Department of Veterans Affairs, transmitting a draft of proposed legislation to provide a temporary authority for the use of voluntary separation incentives by the Department of Veterans Affairs to reduce employment levels, and for other purposes; jointly to the Committees on Veterans' Affairs and Government Reform and Oversight.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LIVINGSTON: Committee on Appropriations. Report on Revised Suballocation of Budget Totals for Fiscal Year 1999 (Rept. 105-722). Referred to the Committee on the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3381. A bill to direct the Secretary of Agriculture and the Secretary of the Interior to exchange land and other assets with Big Sky Lumber Co.; with amendments (Rept. 105-723 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. DREIER: Committee on Rules. House Resolution 541. Resolution providing for consideration of the joint resolution (H.J. Res. 128) making continuing appropriations for the fiscal year 1999, and for other purposes (Rept. 105-724). Referred to the House Calendar.

Mr. SOLOMON: Committee on Rules. House Resolution 542. Resolution providing for consideration of the bill (H.R. 4569) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105-725). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 543. Resolution providing for consideration of the bill (H.R. 3248) to provide dollars to the classroom (Rept. 105-726). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Agriculture discharged from further consideration. H.R. 3381 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 3381. Referral to the Committee on Agriculture extended for a period ending not later than September 16, 1998.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. DINGELL:

H.R. 4577. A bill to amend title 49, United States Code, to improve air carrier service; to the Committee on Transportation and Infrastructure.

By Mr. ARCHER:

H.R. 4578. A bill to amend the Social Security Act to establish the Protect Social Security Account into which the Secretary of the Treasury shall deposit budget surpluses until a reform measure is enacted to ensure the long-term solvency of the OASDI trust funds; to the Committee on Ways and Means.

By Mr. ARCHER:

H.R. 4579. A bill to provide tax relief for individuals, families, and farming and other small businesses, to provide tax incentives for education, to extend certain expiring provisions, and for other purposes; to the Committee on Ways and Means.

By Mr. BARRETT of Nebraska (for himself, Mr. MORAN of Kansas, Mr. EWING, Mr. PICKERING, Mr. BLUNT, Mr. LEACH, Mr. COOKSEY, Mr. NETHERCUTT, Mr. SMITH of Michigan, Mr. BEREUTER, Mr. CHAMBLISS, Mr. HILL, Mr. LAHOOD, Mr. RYUN, Mr. LEWIS of Kentucky, Mrs. EMERSON, Mr. BUNNING of Kentucky, Mr. WELLER, Mr. CRAPO, Mr. LUCAS of Oklahoma, and Mr. WATTS of Oklahoma):

H.R. 4580. A bill to amend the Agricultural Market Transition Act to provide supplemental payments to farm owners and producers who have entered into production flexibility contracts under that Act; to the Committee on Agriculture.

By Mr. CRAPO (for himself, Mr. CANNON, and Mr. STUMP):

H.R. 4581. A bill to amend the Federal Trade Commission Act to provide that certain advertisements of a dietary ingredient or dietary supplement shall not be considered to constitute an unfair or deceptive practice, and for other purposes; to the Committee on Commerce.

By Mr. DUNCAN:

H.R. 4582. A bill to provide that in determining the income of beneficiaries for purposes of the so-called minimum-income widows program for certain surviving spouses of military retirees, the Secretary of Defense shall exclude monthly insurance benefits under title II of the Social Security Act; to the Committee on National Security.

By Ms. DUNN of Washington (for herself, Mr. WHITE, Mr. MCDERMOTT, Mr. DICKS, Mr. NETHERCUTT, Mr. HASTINGS of Washington, Mrs. LINDA SMITH of Washington, Mr. METCALF, Mr. ADAM SMITH of Washington, Mr. RAMSTAD, Mr. SABO, and Mr. PETERSON of Minnesota):

H.R. 4583. A bill to amend title XIX of the Social Security Act to allow States to use the funds available under the State children's health insurance program for an enhanced matching rate for coverage of additional children under the Medicaid Program; to the Committee on Commerce.

By Mr. LEWIS of Georgia (for himself, Mr. MILLER of California, Mr. BRADY of Pennsylvania, Ms. NORTON, Mr. CLAY, Mr. BONIOR, Mr. FILNER, and Ms. PELOSI):

H.R. 4584. A bill to promote environmental justice, public health, and pollution reduction efforts; to the Committee on Commerce, and in addition to the Committees on Transportation and Infrastructure, Agriculture, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. METCALF:

H.R. 4585. A bill to establish the Northwest Straits Advisory Commission; to the Committee on Resources.

By Mr. REDMOND:

H.R. 4586. A bill to provide for the issuance of a congressional gold medal to persons who, while members of the Armed Forces, participated in an activity resulting in risk of exposure to nuclear radiation; to the Committee on Banking and Financial Services, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOB SCHAFFER (for himself, Mr. RADANOVICH, Mr. NORWOOD, Mr. HALL of Texas, Mr. MCINTOSH, Mr. TAUZIN, Mr. BOUCHER, Mr. BASS, Mr. CHRISTENSEN, Mr. RYUN, Mr. HORN, Mr. NETHERCUTT, Mr. SMITH of Michigan, Mr. BAKER, Mr. BARTLETT of Maryland, Mr. ISTOOK, Mrs. CUBIN,

Mr. HOSTETTLER, Mr. MCINNIS, Mr. SKEEN, Mr. REDMOND, Mr. KOLBE, Mr. HINOJOSA, Mr. MORAN of Kansas, Mr. KNOLLENBERG, Mr. SANDERS, Mr. MCHUGH, Mr. CRAPO, Mr. BLUNT, Mr. SOLOMON, Mr. INGLIS of South Carolina, Mr. FORBES, Mr. WICKER, Mr. MASCARA, Mr. PAPPAS, Mr. STUMP, Mr. COOKSEY, Mr. PAUL, Mr. LUCAS of Oklahoma, Mr. BOEHLERT, Mr. WOLF, Mr. CANNON, Mr. BURR of North Carolina, Mr. ENGLISH of Pennsylvania, Mr. LATHAM, and Mr. BARCIA of Michigan):

H.R. 4587. A bill to amend the Internal Revenue Code of 1986 to provide that the dollar limitation on the deduction for family-owned business interests does not apply to interests in farming businesses; to the Committee on Ways and Means.

By Mr. LIVINGSTON:

H.J. Res. 128. A joint resolution making continuing appropriations for the fiscal year 1999, and for other purposes; to the Committee on Appropriations.

By Mr. PAUL:

H.J. Res. 129. A joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims; to the Committee on the Judiciary.

By Mr. PALLONE:

H. Res. 540. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LEWIS of Georgia:

H.R. 4588. A bill for the relief of Irma Vladimirovna Koulimar; to the Committee on the Judiciary.

By Ms. SANCHEZ:

H.R. 4589. A bill for the relief of the Boyd family by clarifying the status of Joseph Samuel Boyd as a public safety officer for purposes of payment of death benefits by the Bureau of Justice Assistance; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 18: Ms. PELOSI, Mr. FRANK of Massachusetts, Ms. KILPATRICK, Mr. ALLEN, and Mr. BAESLER.

H.R. 23: Mr. MEEKS of New York.

H.R. 98: Ms. KILPATRICK.

H.R. 322: Mr. WICKER.

H.R. 536: Mr. GILCHREST.

H.R. 699: Mr. CONDIT and Mr. LOBIONDO.

H.R. 716: Mr. TAUZIN.

H.R. 1018: Mr. BROWN of Ohio.

H.R. 1126: Mr. PAUL.

H.R. 1134: Mr. MOLLOHAN.

H.R. 1176: Mr. THOMPSON and Mr. MALONEY of Connecticut.

H.R. 1375: Mr. TAYLOR of North Carolina, Mr. JONES, Mr. BOB SCHAFFER, Mr. MEEHAN, Ms. DUNN of Washington, and Mr. KLECZKA.

H.R. 1404: Ms. WOOLSEY.

H.R. 1449: Mr. CONYERS.

H.R. 1636: Mr. GILCHREST.

H.R. 2026: Mr. ENGEL and Ms. LEE.

H.R. 2660: Mr. MILLER of California, Ms. WOOLSEY, and Mr. MORAN of Kansas.

H.R. 2819: Mr. DIXON.

H.R. 2882: Mr. SENSENBRENNER, Mr. NUSSLE, and Mr. GOODE.

H.R. 2900: Mr. PRICE of North Carolina.

H.R. 3043: Ms. NORTON.

H.R. 3127: Mr. SPRATT.

H.R. 3181: Ms. CARSON.

H.R. 3458: Ms. RIVERS.

H.R. 3500: Mr. MORAN of Virginia.

H.R. 3503: Mr. LAFALCE, Mr. STENHOLM, and Mr. SANFORD.

H.R. 3524: Mr. COSTELLO.

H.R. 3531: Ms. ROYBAL-ALLARD.

H.R. 3567: Mr. FROST.

H.R. 3610: Mr. GILMAN, Mr. ENSIGN, Mr. HALL of Ohio, and Mrs. LOWEY.

H.R. 3688: Mr. TIAHRT.

H.R. 3732: Mr. WATKINS.

H.R. 3783: Mr. METCALF, Mr. GORDON, Mr. DAN SCHAEFER of Colorado, Mr. NETHERCUTT, Mr. ISTOOK, Mr. TAYLOR of North Carolina, Mr. PETERSON of Minnesota, and Mr. HOEKSTRA.

H.R. 3802: Mr. MOAKLEY, Ms. LEE, Mr. GUTIERREZ, Mr. WYNN, Mr. FARR of California, Ms. NORTON, Mr. MCNULTY, and Mr. MILLER of California.

H.R. 3831: Mr. WALSH and Mr. KENNEDY of Rhode Island.

H.R. 3879: Mr. HILL.

H.R. 3890: Mr. EVANS, Mr. BORSKI, Ms. FURSE, Mr. PORTER, Mr. CLAY, and Mr. SHAYS.

H.R. 3932: Mr. WAXMAN.

H.R. 4064: Mr. DIAZ-BALART, Mr. ABERCROMBIE, and Ms. FURSE.

H.R. 4070: Ms. LOFGREN.

H.R. 4092: Ms. KILPATRICK, Mr. BENTSEN, Ms. CARSON, Mr. MCDERMOTT, Mr. MEEHAN, Mr. FILNER, Mr. KILDEE, and Mr. MCNULTY.

H.R. 4135: Ms. SLAUGHTER.

H.R. 4140: Mr. HOUGHTON.

H.R. 4204: Mr. PAPPAS.

H.R. 4213: Mr. BOEHNER and Mr. NORWOOD.

H.R. 4220: Mr. GORDON.

H.R. 4258: Mr. NEY and Mr. UPTON.

H.R. 4285: Mr. LEACH and Mr. MCCRERY.

H.R. 4291: Ms. DELAURO, Ms. JACKSON-LEE of Texas, and Mrs. MALONEY of New York.

H.R. 4357: Mr. TRAFICANT, Mr. MCHALE, Mr. HOLDEN, Mrs. WILSON, Mr. PETERSON of Pennsylvania, Mr. WELDON of Pennsylvania, Mr. SOUDER, and Mr. WELLER.

H.R. 4433: Mr. LIPINSKI.

H.R. 4472: Mr. MOAKLEY.

H.R. 4508: Mr. HEFNER, Mr. FORD, Mr. TANNER, and Mr. HALL of Texas.

H.R. 4522: Mr. DUNCAN.

H.R. 4542: Mr. BURTON of Indiana, Mr. LUCAS of Oklahoma, Mr. EHLERS, and Mr. CALVERT.

H.R. 4550: Mr. BASS and Mr. SMITH of Michigan.

H.R. 4567: Mr. STARK, Mrs. JOHNSON of Connecticut, Mr. CHRISTENSEN, Mr. HOUGHTON, Mr. ENGLISH of Pennsylvania, Mr. SHAW, Mr. NEAL of Massachusetts, Mr. PETERSON of Pennsylvania, Mr. CANADY of Florida, Mr. REDMOND, Mrs. WILSON, and Mr. WEYGAND.

H. Con. Res. 258: Mr. ALLEN, Mr. PETERSON of Minnesota, Ms. LEE, Mr. GUTIERREZ, Mr. WYNN, Mr. WEXLER, Mr. FARR of California, Mr. OBERSTAR, and Mr. KING of New York.

H. Con. Res. 295: Mr. MEEHAN and Mr. DEUTSCH.

H. Con. Res. 317: Mr. BAKER, Mr. BALLENGER, Mr. BARTLETT of Maryland, Mr. BILIRAKIS, Mr. BOEHLERT, Mr. BONILLA, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CAMP, Mr. CANNON, Mr. CASTLE, Mr. CHABOT, Mr. CHAMBLISS, Mr. COBURN, Mr. COOKSEY, Mr. CRANE, Mrs. CUBIN, Mr. DAVIS of Virginia, Mr. DREIER, Mrs. EMERSON, Mr. ENSIGN, Mr. EVERETT, Mr. FOLEY, Mr. GILCHREST, Mr. GILLMOR, Mr. GILMAN, Mr. HASTINGS of Washington, Mr. HILL, Mr. HOEKSTRA, Mr. HOSTETTLER, Mr. HULSHOF, Mr. HUNTER, Mrs. KELLY, Mr. KLUG, Mr. LEWIS of Kentucky, Mr. MCKEON, Mr. NEUMANN, Mr. PACKARD, Mr. PAPPAS, Mr. PICKERING, Mr. PITTS, Mr. RADANOVICH, Mr. RAMSTAD, Mr. RILEY, Ms. ROS-LEHTINEN, Mr. SALMON, Mr. DAN SCHAEFER of Colorado, Mr. SESSIONS, Mr. SHERMAN, Mr. SMITH of Oregon, Mr. SMITH of New Jersey, Mr. SNOWBARGER, Mr. SOUDER, Mr. TALENT, Mr. THORNBERRY, Mr. UPTON, Mr. WELDON of Florida, Mr. WELLER, Mr. WHITE, Mr. YOUNG of Alaska, Mr. ABERCROMBIE, Mr. ADERHOLT, Mr. ARCHER, Mr. BONIOR, Mr. CUMMINGS, Mr. RUSH, and Mr. BOB SCHAFFER.

H. Res. 212: Mr. HINCHEY and Mr. DELAHUNT.

H. Res. 479: Ms. RIVERS and Mr. WAXMAN.

H. Res. 519: Mr. BACHUS, Mr. FOSSELLA, and Mr. WELDON of Pennsylvania.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1995: Mr. MCKEON.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 4569

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 8: At the end of the bill, insert after the last section (preceding the short title) the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON ASSISTANCE TO THE GOVERNMENT OF INDIA

SEC. 701. None of the funds appropriated or otherwise made available in this Act in title II under the heading "DEVELOPMENT ASSISTANCE" may be made available to the Government of India.

H.R. 4569

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 9: At the end of the bill, insert after the last section (preceding the short title) the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON ASSISTANCE TO THE GOVERNMENT OF INDIA

SEC. 701. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act in title II under the heading "DEVELOPMENT ASSISTANCE" may be made available to the Government of India.

H.R. 4569

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 10: At the end of the bill, insert after the last section (preceding the short title) the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON ASSISTANCE TO THE GOVERNMENT OF INDIA

SEC. 701. Notwithstanding title IX of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999, none of the funds

appropriated or otherwise made available in this Act in title II under the heading "DEVELOPMENT ASSISTANCE" may be made available to the Government of India.

H.R. 4569

OFFERED BY: MR. CAMPBELL

AMENDMENT NO. 11: In title II, in the item relating to "INTERNATIONAL DISASTER ASSISTANCE", after the first dollar amount, insert the following: "(increased by $30,000,000)".

In title II, in the item relating to "NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS", after the first dollar amount, insert the following: "(decreased by $30,000,000)".

H.R. 4569

OFFERED BY: MR. DEUTSCH

AMENDMENT NO. 12: In title II, in the item relating to "MIGRATION AND REFUGEE ASSISTANCE", add at the end before the period the following: ": *Provided further*, That of the funds appropriated under this heading, not more than $70,000,000 may be made available for contributions to the United Nations Relief and Works Agency in the Near East (UNRWA)".

H.R. 4569

OFFERED BY: MR. DEUTSCH

AMENDMENT NO. 13: In title II, in the item relating to "MIGRATION AND REFUGEE ASSISTANCE", add at the end before the period the following: ": *Provided further*, That of the funds appropriated under this heading, not more than $630,000,000 may be obligated and expended unless the Secretary of State certifies to the Congress that the primary and secondary educational textbooks acquired and distributed by the United Nations Relief and Works Agency in the Near East (UNRWA) do not promote anti-Semitism".

H.R. 4569

OFFERED BY: MR. FOX OF PENNSYLVANIA

AMENDMENT NO. 14: At the end of the bill, insert after the last section (preceding the short title) the following:

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. ___. None of the funds appropriated or otherwise made available by this Act may be used by the Department of State or the United States Information Agency to provide equipment, technical support, training, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

H.R. 4569

OFFERED BY: MR. GILMAN

AMENDMENT NO. 15: At the end of the bill, insert after the last section (preceding the short title) the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

REPEAL OF CONTINGENCIES PROVISION IN FOREIGN ASSISTANCE ACT OF 1961

SEC. 701. (a) REPEAL.—Chapter 5 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2261) is hereby repealed.

(b) CONFORMING AMENDMENTS.—(1) Section 634A(a) of such Act (22 U.S.C. 2394–1(a)) is amended in the first sentence by striking ", chapter 5 of part I,".

(2) Section 653(a) of such Act (22 U.S.C. 2413(a)) is amended by striking "451 or".

H.R. 4569

OFFERED BY: MR. GILMAN

AMENDMENT NO. 16: At the end of the bill, insert after the last section (preceding the short title) the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

AMENDMENTS TO THE FOREIGN ASSISTANCE ACT OF 1961

SEC. 701. (a) REPEAL OF CONTINGENCIES PROVISION.—

(1) IN GENERAL.—Chapter 5 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2261) is hereby repealed.

(2) CONFORMING AMENDMENTS.—(A) Section 634A(a) of such Act (22 U.S.C. 2394–1(a)) is amended in the first sentence by striking ", chapter 5 of part I,".

(B) Section 653(a) of such Act (22 U.S.C. 2413(a)) is amended by striking "451 or".

(b) SPECIAL AUTHORITIES PROVISION.—Section 614(a)(4)(C) of the Foreign Assistance Act of 1961 (22 U.S.C. 2364(a)(4)(C)) is amended by striking "$50,000,000" and inserting "$35,000,000".

H.R. 4569

OFFERED BY: MR. GOODLING

AMENDMENT NO. 17: In title II, in the item relating to "OTHER BILATERAL ECONOMIC ASSISTANCE, ECONOMIC SUPPORT FUND", after the first dollar amount, insert the following: "(decreased by $14,000,000)".

In title III, in the item relating to "FUNDS APPROPRIATED TO THE PRESIDENT, INTERNATIONAL MILITARY EDUCATION AND TRAINING", after the first dollar amount, insert the following: "(decreased by $1,400,000)".

H.R. 4569

OFFERED BY: MR. HOUGHTON

AMENDMENT NO. 18: In title II, in the item relating to "AGENCY FOR INTERNATIONAL DEVELOPMENT, DEVELOPMENT ASSISTANCE, (INCLUDING TRANSFER OF FUNDS)", strike the last proviso (relating to the prohibition on assistance for the central Government of the Republic of South Africa).

H.R. 4569

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 19: At the end of the bill, insert after the last section (preceding the general short title) the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON ASSISTANCE FOR SCHOOL OF THE AMERICAS

SEC. 701. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used for programs at the United States Army School of the Americas located at Fort Benning, Georgia.

H.R. 4569

OFFERED BY: MR. KLINK

AMENDMENT NO. 20: Page 141, after line 18, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON ASSISTANCE FOR THE INTERNATIONAL MONETARY FUND

SEC. 701. None of the funds made available in this Act may be used to provide funds to the International Monetary Fund until the Secretary of the Treasury certifies to the Committees on International Relations, on Banking and Financial Services, and on Commerce of the House of Representatives and the Committees on Foreign Relations and on Banking, Housing, and Urban Affairs of the Senate that the United States Governor of the International Monetary Fund shall vote against any proposed amendment to the Articles of Agreement of the International Monetary Fund that would expand the jurisdiction of the International Monetary Fund over capital account liberalization.

H.R. 4569

OFFERED BY: MR. KUCINICH

AMENDMENT NO. 21: Page 111, strike lines 7 through 10 (and redesignate the subsequent paragraphs accordingly).

H.R. 4569

OFFERED BY: MS. MCKINNEY

AMENDMENT NO. 22: Page 141, after line 18, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON ASSISTANCE FOR THE INTERNATIONAL MONETARY FUND

SEC. 701. (a) IN GENERAL.—None of the funds made available in this Act may be obligated or made available to the International Monetary Fund unless—

(1) there is in effect a written certification, made by the Secretary of the Treasury to the Committees on International Relations, on Banking and Financial Services, and on Appropriations of the House of Representatives and the Committees on Foreign Relations and on Appropriations of the Senate, that the International Monetary Fund has adopted such rules as may be necessary to ensure that the International Monetary Fund—

(A) shall not be a party to any agreement, or provide loans which are to be used in whole or in part to finance the implementation of any agreement, which requires the government of any of the 100 poorest countries to pay an amount that exceeds 10 percent of the annual export earnings of the country towards the servicing of foreign loans; and

(B) shall publish the policy described in subparagraph (A) in printed materials of the International Monetary Fund, and prominently display the policy on any web site which the International Monetary Fund maintains on the Internet; and

(2) the Congress has enacted legislation approving the cetification.

(b) RULE OF INTERPRETATION.—Another law shall not be held to supersede or modify this section except to the extent that it does so expressly.

H.R. 4569

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 23: In section 601(a)—

(1) strike "policies" and all that follows through "conditions" and insert "policies that provide for—

"(1) conditions";

(2) redesignate paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indent such provisions an additional 2 ems to the right; and

(3) insert "; and

"(D) maintain efforts to enforce environmental protection laws, ensure that the proportion of government spending for environmental protection programs does not decrease relative to government spending for other programs, and make available to the public such spending figures;

"(2) the making of loans by the International Monetary Fund subject to adherence to and enforcement of the principle of environmental sustainability as provided for in the Convention on Biological Diversity with regard to parties thereto and in Agenda 21 of the 1992 United Nations Conference on Environment and Development with regard to subscribers thereto;

"(3) the availability to the public of all information of the International Monetary

Fund relating to the effects on the environment of past and current International Monetary Fund lending programs;

"(4)(A) the preparation by the International Monetary Fund, in consultation with the relevant international and national environmental agencies, of environmental impact statements and biological assessments of—

"(i) International Monetary Fund policy requirements and alternatives; and

"(ii) proposed non-emergency loans, emergency loans made after the date of the enactment of this Act, and a sample of loans made before such date of enactment, by the International Monetary Fund,

with the public given (in the case of non-emergency loans, advance) notice of, and a meaningful opportunity to comment on, such statements and assessments;

"(B) the use in such statements and assessments of full cost accounting for natural resource management, so that such statements and assessments meet the Environmental Assessment standards of Operational Directive 4.01 of the International Bank for Reconstruction and Development, and Article 14 of the Convention on Biological Diversity for nations party to the Convention;

"(C) the completion of such statements and assessments—

"(i) in the case of policy requirements and alternatives and non-emergency loans, before the policy is adopted or the loan is made; or

"(ii) in the case of emergency loans, not later than 6 months after the first disbursement is made under the loan; and

"(D) the Executive Board of the International Monetary Fund to be responsible for determining whether a loan is an emergency loan and to be required to make public any such determination;

"(5) the accounting by the International Monetary Fund for environmental depletion and degradation in the system of national accounts, as recommended by the International Monetary Fund, the International Bank for Reconstruction and Development, the United Nations, the Organization for Economic Cooperation and Development, and the Commission of the European Communities-Eurostat in section XXI.D of the "System of National Accounts 1993", as further developed in the 1993 report by the United Nations Statistical Division, entitled "System for Integrated Environmental and Economic Accounting", and as demonstrated in the definition of "Genuine Saving II" in the report by the International Bank for Reconstruction and Development, entitled "World Development Indicators 1998", the use of such information in the analysis by the International Monetary Fund of economic performance (and of the effects of past International Monetary Fund programs), and the public availability of such environmental accounting; and

"(6) consultation with the relevant domestic and international agencies to ensure that the policies proposed for any International Monetary Fund loan agreement do not reduce or undermine domestic environmental standards or processes nor diminish compliance with nor the effectiveness of international environmental agreements" before the period.

H.R. 4569

OFFERED BY: MR. NEUMANN

AMENDMENT NO. 24: Page 13, line 25, after the dollar amount, insert the following: "(reduced by $1,000,000)".

H.R. 4569

OFFERED BY: MR. PAUL

AMENDMENT NO. 25: Page 141, after line 18, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON FUNDS FOR ABORTION, FAMILY PLANNING, OR POPULATION CONTROL EFFORTS

SEC. 701. None of the funds appropriated or otherwise made available by this Act may be made available for—

(1) population control or population planning programs;

(2) family planning activities; or

(3) abortion procedures.

H.R. 4569

OFFERED BY: MS. PELOSI

AMENDMENT NO. 26. On page 23, line 19 after "(IAEA)," insert, "a voluntary contribution to the Korean Peninsula Energy Development Organization (KEDO),"

On page 24, line 12, after "Agency:", insert: *Provided further,* That not to exceed $30,000,000 may be made available to the Korean Peninsula Energy Development Organization (KEDO) only for the administrative expenses and heavy fuel oil costs associated with the Agreed Framework: *Provbided further,* That such funds may be obligated to KEDO only if, 30 days prior to such obligation of funds, the President certifies and so reports to Congress that: (1)(A) the parties to the Agreed Framework are taking steps to assure that progress is made on the implementation of the January 1, 1992, Joint Declaration on the Denuclearization of the Korean Peninsula and the implementation of the North-South dialogue, and (B) North Korea is complying with the other provisions of the Agreed Framework between North Korea and the United States and with the Confidential Minute; (2) North Korea is cooperating fully in the canning and safe storage of all spent fuel from its graphite-moderated nuclear reactors; (3) North Korea has not significantly diverted assistance provided by the United States for purposes for which it was not intended; (4) North Korea has terminated its nuclear weapons program; (5) North Korea is not providing ballistic missiles or ballistic missile technology to a country the government of which the Secretary of State has determined is a terrorist government for the purposes of section 40(d) of the Arms Export Control Act or any other comparable provision of law and (6) the United States has satisfactory access to facilities that would be necessary to assure compliance with the Framework Agreement:"

Provided further, That the President may waive the certification requirements of the preceding proviso if the President determines that it is vital to the national security interests of the United States: *Provided further,* That whenever the waiver included in the previous proviso is exercised, the President shall submit to the appropriate congressional committees a report which shall include a detailed explanation of why the certification requirements in the sixth proviso could not be met: *Provided further,* That no funds may be obligated for KEDO until 30 calendar days after submission to Congress of the waiver permitted under the sixth proviso: *Provided further,* That the obligation of any funds for KEDO shall be subject to the regular notification procedures of the Committees on Appropriations:

H.R. 4569

OFFERED BY: MS. PELOSI

AMENDMENT NO. 27. On page 32, line 17, strike "42,500,000" and insert "92,500,000".

H.R. 4569

OFFERED BY: MS. PELOSI

AMENDMENT NO. 28. On page 110, after line 15, insert:

UNITED STATES QUOTA IN THE INTERNATIONAL MONETARY FUND

For an increase in the United States quota in the International Monetary Fund, the dollar equivalent of 10,622,500,000 Special Drawing Rights, to remain available until expended.

H.R. 4569

OFFERED BY: MS. PELOSI

AMENDMENT NO. 29. On page 110, after line 15, insert:

UNITED STATES QUOTA IN THE INTERNATIONAL MONETARY FUND

For an increase in the United States quota in the International Monetary Fund, the dollar equivalent of 10,622,500,000 Special Drawing Rights, to remain available until expended.

On page 117, strike line 11, and all that follows through the end of line 18 on page 141, and insert:

SECTION 605. SHORT TITLE.

Sections 605 through 617 of this chapter may be cited as the "International Monetary Fund Reform and Authorization Act of 1998".

SEC. 606. FINDINGS.

The Congress finds that—

(1) the International Monetary Fund (IMF) was conceived at Bretton Woods, New Hampshire, to promote a sound and open world economy and a stable international financial system;

(2) while the international financial system has evolved significantly since the IMF was founded fifty years ago, its core mission remains focused on providing advice on macroeconomic and exchange rate policy and highly conditional financial assistance, including appropriate economic and governance reforms, to countries facing balance of payments or liquidity problems;

(3) the IMF includes elements in structural adjustment programs that affect industrial and labor policies, which have profound social and political ramifications;

(4) the IMF has intervened in financial markets in situations of extreme uncertainty and crisis to restore investor and lender confidence, which may result in partially relieving such lenders and investors of the negative consequences of imprudent lending and investment decisions;

(5) the expanded conditionality which accompanies IMF funding has profound domestic consequences in the United States;

(6) the United States, as the leading power of the post-cold war world, has a greater interest than any other country in a strengthened IMF that multilateralizes the financial support for ongoing economic reforms in countries important to United States interests and that can respond to threats to the international financial system so that the United States does not end up serving as the world's lender of last resort;

(7) the United States is the only country with veto power over major IMF decisions;

(8) to sustain its capabilities, the IMF needs to sustain its strength relative to a rapidly expanding global economy characterized by exponential growth of global capital markets;

(9) the United States financial commitment to the IMF leverages several times as much from other countries, and its general resource financing is not scored as a budgetary outlay;

(10) the ongoing currency and banking crisis in the Far East has affected United

States financial markets and may result in a decline in United States economic growth by as much as one and one-half percent, and the United States has a vested economic and national security interest in utilizing the IMF and other multilateral mechanisms to help stabilize certain Asian economies;

(11) neither the IMF nor the international financial system predicted or was adequately prepared for the domestic financial instability that has developed in East Asia, particularly the excessive short-term borrowing the private sector institutions, and therefore significant reforms of the IMF and the international financial system are needed to ensure that the world is better prepared to prevent and cope with similar crises;

(12) the United States also has an interest in not contributing to "moral hazard", the belief by private investors and lenders that public credit will be used to bail them out of the consequences of imprudent credit decisions;

(13) in establishing the terms for its financial support, the IMF must strike a balance between contributing to the stability of the Asian economies and ensuring that the private creditors who contributed to the crisis by their imprudent lending also make a significant contribution to the resolution of such crisis; and

(14) with respect to some East Asian countries, some observers believe that—

(A) the IMF has often imposed tight monetary and fiscal policies designed for countries in other parts of the world that follow excessively expansionary fiscal and monetary policies, despite the fact that, by the IMF's own account, the monetary and fiscal policies of the East Asian countries have not contributed to the financial difficulties faced by such countries;

(B) the rationale for such strategy has been the need to attract foreign capital and provide the means to earn foreign exchange;

(C) in the absence of solutions to the short term debt overhang problem which requires a rollover of such short term maturities by private creditors, and to the unfettered flow of capital into and out of markets without regard to maturities or purpose, as an integral part of the IMF program, no interest rate is high enough to attract such capital;

(D) a tight monetary and fiscal austerity program, combined with industrial restructuring and labor market flexibility measures where they are also a part of an IMF program, may excessively depress the local economy, creating potentially explosive social and political problems;

(E) such a strategy could also create excessive pressure to export and reduce imports, eroding support in the United States for a more open international trading and investment regime, as export markets collapse and a flood of imports puts downward pressure on U.S. wages and employment; and

(F) there is a consequent need for the IMF, other international financial institutions, the United States, and other countries, as appropriate, to fashion programs and policies that are adapted to local conditions and integrate private creditor contributions.

SEC. 607. PARTICIPATION IN QUOTA INCREASE.

(a) IN GENERAL.—The Bretton Woods Agreements Act (22 U.S.C. 286–286mm) is amended by adding at the end the following:

"SEC. 61. QUOTA INCREASE.

"(a) IN GENERAL.—The United States Governor of the Fund may consent to an increase in the quota of the United States in the Fund equivalent to 10,622,500,000 Special Drawing Rights.

"(b) SUBJECT TO APPROPRIATIONS.—The authority provided by subsection (a) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.".

(b) EFFECTIVENESS SUBJECT TO CERTIFICATION.—The amendment made by subsection (a) shall not take effect until the Secretary of the Treasury certifies to the Committee on Banking and Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate that the investors and banks make a significant contribution in conjunction with a financing package that, in the context of an international financial crisis, might include taxpayer supported official financing.

SEC. 608. NEW ARRANGEMENTS TO BORROW.

(a) IN GENERAL.—Section 17 of the Bretton Woods Agreements Act (22 U.S.C. 286e–2 et seq.) is amended—

(1) in subsection (a)—

(A) by striking "and February 24, 1983" and inserting "February 24, 1983, and January 27, 1997"; and

(B) by striking "4,250,000,000" and inserting "6,712,000,000";

(2) in subsection (b), by striking "4,250,000,000" and inserting "6,712,000,000"; and

(3) in subsection (d)—

(A) by inserting "or the Decision of January 27, 1997," after "February 24, 1983,"; and

(B) by inserting "or the New Arrangements to Borrow, as applicable" before the period at the end.

(b) EFFECTIVENESS SUBJECT TO CERTIFICATION.—The amendments made by subsection (a) shall not take effect until the Secretary of the Treasury certifies to the Committee on Banking and Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate that the investors and banks make a significant contribution in conjunction with a financing package that, in the context of an international financial crisis, might include taxpayer supported official financing.

SEC. 609. ADVOCACY OF POLICIES TO ENHANCE THE GENERAL EFFECTIVENESS OF THE INTERNATIONAL MONETARY FUND.

(a) IN GENERAL.—Title XV of the International Financial Institutions Act (22 U.S.C. 262o–262o–1) is amended by adding at the end the following:

"SEC. 1503. ADVOCACY OF POLICIES TO ENHANCE THE GENERAL EFFECTIVENESS OF THE INTERNATIONAL MONETARY FUND.

"(a) IN GENERAL.—The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund to use aggressively the voice and vote of the Executive Director to do the following:

"(1) Vigorously promote policies to increase the effectiveness of the International Monetary Fund in structuring programs and assistance so as to promote policies and actions that will contribute to exchange rate stability and avoid competitive devaluations that will further destabilize the international financial and trading systems.

"(2) Vigorously promote policies to increase the effectiveness of the International Monetary Fund in promoting market-oriented reform, trade liberalization, economic growth, democratic governance, and social stability through—

"(A) appropriate liberalization of pricing, trade, investment, and exchange rate regimes of countries to open countries to the competitive forces of the global economy;

"(B) opening domestic markets to fair and open internal competition among domestic enterprises by eliminating inappropriate favoritism for small or large businesses, eliminating elite monopolies, creating and effectively implementing anti-trust and anti-monopoly laws to protect free competition, and establishing fair and accessible legal procedures for dispute settlement among domestic enterprises;

"(C) privatizing industry in a fair and equitable manner that provides economic opportunities to a broad spectrum of the population, eliminating government and elite monopolies, closing loss-making enterprises, and reducing government control over the factors of production;

"(D) economic deregulation by eliminating inefficient and overly burdensome regulations and strengthening the legal framework supporting private contract and intellectual property rights;

"(E) establishing or strengthening key elements of a social safety net to cushion the effects on workers of unemployment and dislocation; and

"(F) encouraging the opening of markets for agricultural commodities and products by requiring recipient countries to make efforts to reduce trade barriers.

"(3) Vigorously promote policies to increase the effectiveness of the International Monetary Fund, in concert with appropriate international authorities and other international financial institutions (as defined in section 1701(c)(2)), in strengthening financial systems in developing countries, and encouraging the adoption of sound banking principles and practices, including the development of laws and regulations that will help to ensure that domestic financial institutions meet strong standards regarding capital reserves, regulatory oversight, and transparency.

"(4) Vigorously promote policies to increase the effectiveness of the International Monetary Fund, in concert with appropriate international authorities and other international financial institutions (as defined in section 1701(c)(2)), in facilitating the development and implementation of internationally acceptable domestic bankruptcy laws and regulations in developing countries, including the provision of technical assistance as appropriate.

"(5) Vigorously promote policies that aim at appropriate burden-sharing by the private sector so that investors and creditors bear more fully the consequences of their decisions, and accordingly advocate policies which include—

"(A) strengthening crisis prevention and early warning signals through improved and more effective surveillance of the national economic policies and financial market development of countries (including monitoring of the structure and volume of capital flows to identify problematic imbalances in the inflow of short and medium term investment capital, potentially destablizing inflows of offshore lending and foreign investment, or problems with the maturity profiles of capital to provide warnings of imminent economic instability), and fuller disclosure of such information to market participants;

"(B) accelerating work on strengthening financial systems in emerging market economies so as to reduce the risk of financial crises;

"(C) consideration of provisions in debt contracts that would foster dialogue and consultation between a sovereign debtor and its private creditors, and among those creditors;

"(D) consideration of extending the scope of the International Monetary Fund's policy

on lending to members in arrears and of other policies so as to foster the dialogue and consultation referred to in subparagraph (C);

"(E) intensified consideration of mechanisms to facilitate orderly workout mechanisms for countries experiencing debt or liquidity crises;

"(F) consideration of establishing ad hoc or formal linkages between the provision of official financing to countries experiencing a financial crisis and the willingness of market participants to meaningfully participate in any stabilization effort led by the International Monetary Fund;

"(G) using the International Monetary Fund to facilitate discussions between debtors and private creditors to help ensure that financial difficulties are resolved without inappropriate resort to public resources;

"(H) the International Monetary Fund accompanying the provision of funding to countries experiencing a financial crisis resulting from imprudent borrowing with efforts to achieve a significant contribution by the private creditors, investors, and banks which had extended such credits; and

"(I) in the context of International Monetary Fund responses to international financial crises, vigorously promote consideration of appropriate ways in which debtors and private creditors, in consultation with central banks, can be encouraged voluntarily to take steps to achieve resolution of outstanding debts, and to do so in a manner that provides for an appropriate degree of burden-sharing.

"(6) Vigorously promote policies that would make the International Monetary Fund a more effective mechanism, in concert with appropriate international authorities and other international financial institutions (as defined in section 1701(c)(2)), for promoting good governance principles within recipient countries by fostering structural reforms, including procurement reform, that reduce opportunities for corruption and bribery, and drug-related money laundering.

"(7) Vigorously promote the design of International Monetary Fund programs and assistance so that governments that draw on the International Monetary Fund channel public funds away from unproductive purposes, including large 'show case' projects and excessive military spending, and toward investment in human and physical capital as well as social programs to protect the neediest and promote social equity.

"(8) Work with the International Monetary Fund to foster economic prescriptions that are appropriate to the individual economic circumstances of each recipient country, recognizing that inappropriate stabilization programs may only serve to further destabilize the economy and create unnecessary economic, social, and political dislocation.

"(9) Structure International Monetary Fund programs and assistance so that the maintenance and improvement of core labor standards are routinely incorporated as an integral goal in the policy dialogue with recipient countries, so that—

"(A) recipient governments commit to affording workers the right to exercise internationally recognized core worker rights, including the right of free association and collective bargaining through unions of their own choosing;

"(B) measures designed to facilitate labor market flexibility are consistent with such core worker rights;

"(C) the staff of the International Monetary Fund adequately takes into account the views of the International Labor Organization, particularly with respect to the effect of labor market flexibility measures on core worker rights in such countries; and

"(D) the staff of the International Monetary Fund surveys the labor market policies and practices of recipient countries and recommends policy initiatives that will help to ensure the maintenance or improvement of core labor standards.

"(10) Vigorously promote the adoption and enforcement of laws promoting respect for internationally recognized worker rights (as defined in section 507(4) of the Trade Act of 1974 (19 U.S.C. 2467(4))).

"(11) Vigorously promote International Monetary Fund programs and assistance that are structured to the maximum extent feasible to discourage practices which may promote ethnic or social strife in a recipient country.

"(12) Vigorously promote recognition by the International Monetary Fund that macroeconomic developments and policies can affect and be affected by environmental conditions and policies, including by working independently and with the multilateral development banks to encourage countries to correct market failures and pursue macroeconomic stability while promoting policies for sustainable development and environmental protection.

"(13) Facilitate greater International Monetary Fund transparency, including by enhancing accessibility of the International Monetary Fund and its staff, fostering a more open release policy toward working papers, past evaluations, and other International Monetary Fund documents, seeking to publish all Letters of Intent to the International Monetary Fund and Policy Framework Papers, and establishing a more open release policy regarding Article IV consultations.

"(14) Facilitate greater International Monetary Fund accountability and enhance International Monetary Fund self-evaluation by vigorously promoting review of the effectiveness of the Office of Internal Audit and Inspection and the Executive Board's external evaluation pilot program and, if necessary, the establishment of an operations evaluation department modeled on the experience of the International Bank for Reconstruction and Development, guided by such key principles as usefulness, credibility, transparency, and independence.

"(15) Vigorously promote coordination with the International Bank for Reconstruction and Development and other international financial institutions (as defined in section 1701(c)(2)) in promoting structural reforms which facilitate the provision of credit to small businesses, including microenterprise lending, especially in the world's poorest, heavily indebted countries.

"(16) Vigorously promote, in the context of the International Monetary Fund's policy dialogue with its member countries, measures to protect the rights and land of indigenous peoples, including the Penan of Borneo, Malaysia, the Dayaks of East Kalimantan, Indonesia, and the indigenous communities of Irian Jaya, Indonesia.

"(17) Vigorously promote policies such that the International Monetary Fund, in considering loan programs and assistance, takes into account the extent to which the recipient government has demonstrated a commitment to—

"(A) providing accurate and complete data on the annual expenditures and receipts of the armed forces;

"(B) establishing good and publicly accountable governance, including an end to excessive military involvement in the economy; and

"(C) making substantial reductions in excessive military spending and forces, including domestic security forces.

"(18) Structure International Monetary Fund debt relief programs so that the programs do not impose unfair conditions on heavily indebted poor countries, increase the amount of debt relief available to poor countries, and decrease the time required to qualify for debt relief.

"(b) COORDINATION WITH OTHER EXECUTIVE DEPARTMENTS.—To the extent that it would assist in achieving the goals described in subsection (a), the Secretary of the Treasury shall pursue the goals in coordination with the Secretary of State, the Secretary of Labor, the Secretary of Commerce, the Administrator of the Environmental Protection Agency, the Administrator of the Agency for International Development, and the United States Trade Representative.".

(b) ADVISORY COMMITTEE ON IMF POLICY.—Section 1701 of such Act (22 U.S.C. 262p–5) is amended by adding at the end the following:

"(e) ADVISORY COMMITTEE ON IMF POLICY.—

"(1) IN GENERAL.—The Secretary of the Treasury shall establish an International Monetary Fund Advisory Committee (in this subsection referred to as the 'Advisory Committee').

"(2) MEMBERSHIP.—The Advisory Committee shall consist of 8 members appointed by the Secretary of the Treasury, after appropriate consultations with the relevant organizations, as follows:

"(A) 2 members shall be representatives from organized labor.

"(B) 2 members shall be representatives from banking and financial services.

"(C) 2 members shall be representatives from industry and agriculture.

"(D) 2 members shall be representatives from nongovernmental environmental and human rights organizations.

"(3) DUTIES.—Not less frequently than every 6 months, the Advisory Committee shall meet with the Secretary of the Treasury or the Deputy Secretary of the Treasury to review, and provide advice on, the extent to which individual country International Monetary Fund programs meet the policy goals set forth in this Act regarding the International Monetary Fund.

"(4) INAPPLICABILITY OF TERMINATION PROVISION OF THE FEDERAL ADVISORY COMMITTEE ACT.—Section 14(a)(2) of the Federal Advisory Committee Act shall not apply to the Advisory Committee.".

SEC. 610. AVAILABILITY OF INTERNATIONAL MONETARY FUND LETTERS OF INTENT REGARDING AGREEMENTS REQUIRED IN ORDER TO RECEIVE ASSISTANCE.

Title XV of the International Financial Institutions Act (22 U.S.C. 262o–262o–1) is further amended by adding at the end the following:

"SEC. 1504. AVAILABILITY OF INTERNATIONAL MONETARY FUND LETTERS OF INTENT REGARDING AGREEMENTS REQUIRED IN ORDER TO RECEIVE ASSISTANCE.

"Within 3 business days after the United States Executive Director at the International Monetary Fund receives a letter of intent from a country regarding structural adjustment or an economic, social, or other agreement required by the Fund in order to receive assistance from the Fund, the Executive Director shall provide to the Secretary of the Treasury a copy of the letter and any related memorandum of understanding. Within 7 days after receiving the copy, the Secretary of the Treasury shall make the

copy available to the public (by electronic or other readily publicly accessible means) except to the extent that the Secretary determines that doing so would—

"(1) endanger the national security of the country or of the United States;

"(2) disrupt markets; or

"(3) be contrary to the obligations of the United States as a member of the International Monetary Fund.".

SEC. 611. ENFORCEMENT OF INDONESIAN COMPLIANCE WITH REFORMS REQUIRED BY THE INTERNATIONAL MONETARY FUND.

The Secretary of the Treasury shall certify to the Committee on Banking and Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate that the United States Executive Director at the International Monetary Fund will oppose further disbursements of funds to Indonesia unless the Indonesian government complies with the terms of its International Monetary Fund reform package.

SEC. 612. SENSE OF THE CONGRESS ON THE TREATMENT OF MUCHTAR PAKPAHAN.

It is the sense of the Congress that the Government of Indonesia should immediately release Muchtar Pakpahan from prison and have all criminal charges against him dismissed.

SEC. 613. SENSE OF THE CONGRESS ON THE ROLE OF JAPAN IN RESTORING REGIONAL AND GLOBAL ECONOMIC GROWTH.

(a) FINDING.—The Congress finds that deteriorating economic conditions and ongoing financial market turbulence in Asia makes it more important than ever that Japan play a leadership role in helping to restore confidence and serve as a crucial engine of regional and world economic growth.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that Japan should assume a greater regional leadership role, which would coincide with Japan's goal of promoting strong domestic demand-led growth and avoiding a significant increase in its external surplus with the United States and the countries of the Asia-Pacific region.

SEC. 614. SEMIANNUAL REPORTS ON FINANCIAL STABILIZATION PROGRAMS LED BY THE INTERNATIONAL MONETARY FUND IN CONNECTION WITH FINANCING FROM THE EXCHANGE STABILIZATION FUND.

Title XVII of the International Financial Institutions Act (22 U.S.C. 262r–262r–2) is amended by adding at the end the following:

"SEC. 1704. REPORTS ON FINANCIAL STABILIZATION PROGRAMS LED BY THE INTERNATIONAL MONETARY FUND IN CONNECTION WITH FINANCING FROM THE EXCHANGE STABILIZATION FUND.

"(a) IN GENERAL.—The Secretary of he Treasury, in consultation with the Secretary of Commerce and other appropriate Federal agencies, shall prepare reports on the implementation of financial stabilization programs (and any material terms and conditions thereof) led by the International Monetary Fund in countries in connection with which the United States has made a commitment to provide, or has provided financing from the stabilization fund established under section 5302 of title 31, United States Code. The reports shall include the following:

"(1) A description of the condition of the economies of countries requiring the financial stabilization programs, including the monetary, fiscal, and exchange rate policies of the countries.

"(2) A description of the degree to which the countries requiring the financial stabilization programs have fully implemented financial sector restructuring and reform measures required by the International Monetary Fund, including—

"(A) ensuring full respect for the commercial orientation of commercial bank lending;

"(B) ensuring that governments will not intervene in bank management and lending decisions (except in regard to prudential supervision);

"(C) the passage of appropriate financial reform legislation;

"(D) strengthening the domestic financial system, through financial sector restructuring, as well as improved transparency and supervision; and

"(E) the opening of domestic capital markets.

"(3) A description of the degree to which the countries requiring the financial stabilization programs have fully implemented reforms required by the International Monetary Fund that are directed at corporate governance and corporate structure, including—

"(A) making nontransparent conglomerate practices more transparent through the application of internationally accepted accounting practices, independent external audits, full disclosure, and provision of consolidated statements; and

"(B) ensuring that no government subsidized support or tax privileges will be provided to bail out individual corporations, particularly in the semiconductor, steel, and paper industries.

"(4) A description of the implementation of reform measures required by the International Monetary Fund to deregulate and privatize economic activity by ending domestic monopolies, undertaking trade liberalization, and opening up restricted areas of the economy to foreign investment and competition.

"(5) A detailed description of the trade policies of the countries, including any unfair trade practices or adverse effects of the trade policies on the United States.

"(6) A description of the extent to which the financial stabilization programs have resulted in appropriate burden-sharing among private sector creditors, including rescheduling of outstanding loans by lengthening maturities, agreements on debt reduction, and the extension of new credit.

"(7) A description of the extent to which the economic adjustment policies of the International Monetary Fund and the policies of the government of the country adequately balance the need for financial stabilization, economic growth, environmental protection, social stability, and equity for all elements of the society.

"(8) Whether International Monetary Fund involvement in labor market flexibility measures has had a negative effect on core worker rights, particularly the rights of free association and collective bargaining.

"(9) A description of any pattern of abuses of core worker rights in recipient countries.

"(10) The amount, rate of interest, and disbursement and repayment schedules of any fund disbursed from the stabilization fund established under section 5302 of title 31, United States Code, in the form of loans, credits, guarantees, or swaps, in support of the financial stabilization programs.

"(11) The amount, rate of interest, and disbursement and repayment schedules of any funds disbursed by the International Monetary Fund to the countries in support of the financial stabilization programs.

"(b) TIMING.—Not later than October 1, 1998, and semiannually thereafter, the Secretary of the Treasury shall submit to the Committees on Banking and Financial Services and International Relations of the House of Representatives and the Committees on Foreign Relations, and Banking, Housing, and Urban Affairs of the Senate a report on the matters described in subsection (a).".

SEC. 615. REPORTS ON REFORMING THE ARCHITECTURE OF THE INTERNATIONAL FINANCIAL SYSTEM.

(a) FINDINGS.—The Congress finds that, in order to ensure that the International Monetary Fund does not become the global lender of last resort to private sector corporations and financial institutions, and in order to help prevent further threats to the international financial system, the Secretary of the Treasury and the Chairman of the Board of Governors of the Federal Reserve System, working with their counterparts in other countries and with international organizations as appropriate, should—

(1) seek to establish a broad set of international transparency principles on accounting and disclosure policies and practices covering, in particular, private sector financial organizations;

(2) promote improvements in the provision by both borrowers and lenders of timely and comprehensive aggregate information on cross-border financial stocks and flows;

(3) seek an international accord establishing uniform minimum standards with respect to robust banking and supervisory systems, which individual countries should be required to meet as a condition for the establishment of subsidiaries, branches, or other offices of banking institutions from their countries in the jurisdictions of the countries participating in the accord;

(4) immediately initiate with appropriate representatives of the countries that are members of the International Monetary Fund discussions aimed at securing national treatment for United States investors in such countries; and

(5) seek to establish internationally acceptable bankruptcy standards and should work particularly to have International Monetary Fund recipient countries adopt such standards.

(b) REPORTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall prepare 3 reports on progress made toward achieving the objectives outlined in subsection (a), which shall describe the steps taken by the United States, other members of the world community, and the international financial institutions to strengthen safeguards in the global financial system, including measures to promote more efficient functioning of global markets, by—

(A) helping to develop effective legal and regulatory frameworks, including appropriate bankruptcy and foreclosure mechanisms;

(B) increasing transparency and disclosure by both the private and public sectors;

(C) strengthening prudential standards, both globally and in individual economies;

(D) improving domestic policy management;

(E) strengthening the role of the international financial institutions in financial crisis prevention and management; and

(F) ensuring appropriate burden sharing by the private sector, particularly commercial banks and financial institutions, in the resolution of crises.

(2) TIMING.—The Secretary of the Treasury shall submit to the Committees on Banking and Financial Services and International Relations of the House of Representatives and

the Committees on Foreign Relations and Banking, Housing, and Urban Affairs of the Senate 2 interim reports on the matters described in paragraph (1), the first of which is due by October 1, 1998, and the second of which is due on April 1, 1999, and a final report on such matters, which is due on October 1, 1999.

SEC. 616. ANNUAL REPORT AND TESTIMONY ON THE STATE OF THE INTERNATIONAL FINANCIAL SYSTEM, IMF REFORM, AND COMPLIANCE WITH IMF AGREEMENTS.

Title XVII of the International Financial Institutions Act (22 U.S.C. 262r–262r–2) is further amended by adding at the end the following:

"SEC. 1705. ANNUAL REPORT AND TESTIMONY ON THE STATE OF THE INTERNATIONAL FINANCIAL SYSTEM, IMF REFORM, AND COMPLIANCE WITH IMF AGREEMENTS.

"(a) REPORTS.—Not later than October 1 of each year, the Secretary of the Treasury shall submit to the Committee on Banking and Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate a written report on the progress (if any) made by the United States Executive Director at the International Monetary Fund in influencing the International Monetary Fund to adopt the policies and reform its internal procedures in the manner described in section 1503.

"(b) TESTIMONY.—After submitting the report required by subsection (a) but not later than October 31 of each year, the Secretary of the Treasury shall appear before the Committee on Banking and Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate and present testimony on—

"(1) any progress made in reforming the International Monetary Fund;

"(2) the status of efforts to reform the international financial system; and

"(3) the compliance of countries which have received assistance from the International Monetary Fund with agreements made as a condition of receiving the assistance.".

SEC. 617. AUDITS OF THE INTERNATIONAL MONETARY FUND.

Title XVII of the International Financial Institutions Act (22 U.S.C. 262r–262r–2) is further amended by adding at the end the following:

SEC. 1706. AUDITS OF THE INTERNATIONAL MONETARY FUND.

"(a) ACCESS TO MATERIALS.—Not later than 30 days after the date of the enactment of this section, the Secretary of the Treasury shall certify to the Committee on Banking and Financial Services of the House of Representatives and the Committee on Foreign Relations of the Senate that the Secretary has instructed the United States Executive Director at the International Monetary Fund to facilitate timely access by the General Accounting Office to information and documents of the International Monetary Fund needed by the Office to perform financial reviews of the International Monetary Fund that will facilitate the conduct of United States policy with respect to the Fund.

"(b) REPORTS—Not later than June 30, 1999, and annually thereafter, the Comptroller General of the United States shall prepare and submit to the committees specified in subsection (a) a report on the financial operations of the Fund during the preceding year, which shall include—

"(1) the current financial condition of the International Monetary Fund;

"(2) the amount, rate of interest, disbursement schedule, and repayment schedule for any loans that were initiated or outstanding during the preceding calendar year, and with respect to disbursement schedules, the report shall identify and discuss in detail any conditions required to be fulfilled by a borrower country before a disbursement is made;

"(3) a detailed description of whether the trade policies of borrower countries permit free and open trade by the United States and other foreign countries in the borrower countries;

"(4) a detailed description of the export policies of borrower countries and whether the policies may result in increased export of their products, goods, or services to the United States which may have significant adverse effects on, or result in unfair trade practices against or affecting United States companies, farmers, or communities;

"(5) a detailed description of any conditions of International Monetary Fund loans which have not been met by borrower countries, including a discussion of the reasons why such conditions were not met, and the actions taken by the International Monetary Fund due to the borrower country's noncompliance;

"(6) an identification of any borrower country and loan on which any loan terms or conditions were renegotiated in the preceding calendar year, including a discussion of the reasons for the renegotiation and any new loan terms and conditions; and

"(7) a specification of the total number of loans made by the International Monetary Fund from its inception through the end of the period covered by the report, the number and percentage (by number) of such loans that are in default or arrears, and the identity of the countries in default or arrears, and the number of such loans that are outstanding as of the end of period covered by the report and the aggregate amount of the outstanding loans and the average yield (weighted by loan principal) of the historical and outstanding loan portfolios of the International Monetary Fund.".

; and amend the report accordingly.

H.R. 4569

OFFERED BY: MR. PITTS

AMENDMENT NO. 30: In title II, in the item relating to "AGENCY FOR INTERNATIONAL DEVELOPMENT, CHILD SURVIVAL AND DISEASE PROGRAMS FUND", after the first dollar amount, insert the following: "(increased by $100,000,000)".

In title II, in the item relating to "AGENCY FOR INTERNATIONAL DEVELOPMENT, CHILD SURVIVAL AND DISEASE PROGRAMS FUND", add at the end before the period the following: ": *Provided further*, That of the funds appropriated under this heading, not less than $345,000,000 shall be made available for infant and child health programs".

In title II, in the item relating to "AGENCY FOR INTERNATIONAL DEVELOPMENT, DEVELOPMENT ASSISTANCE, (INCLUDING TRANSFER OF FUNDS)", after the first dollar amount, insert the following: "(decreased by $100,000,000)".

In section 576 (relating to authorization for population planning), after the first dollar amount, insert the following: "(decreased by $100,000,000)".

In section 576 (relating to authorization for population planning), add at the end before the period the following: ": *Provided*, That the restriction under this heading shall apply to all funds for programs and activities designed to control fertility or to reduce or delay childbirths or pregnancies, irrespective of the heading under which such funds are made available".

H.R. 4569

OFFERED BY: MR. PORTER

AMENDMENT NO. 31: In title V, strike section 579, relating to the repeal of Section 907 of the FREEDOM Support Act.

H.R. 4569

OFFERED BY: MR. RADANOVICH

AMENDMENT NO. 32: In title V, strike the section relating to the repeal of section 907 of the FREEDOM Support Act.

H.R. 4569

OFFERED BY: MR. ROYCE

AMENDMENT NO. 33: Page 141, after line 18, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

PROPOSAL TO ELIMINATE INCOME TAX ALLOWANCES PROVIDED BY THE INTERNATIONAL MONETARY FUND

SEC. 701. The Bretton Woods Agreements Act (22 U.S.C. 286–286mm) is amended by adding at the end the following:

"SEC. 61. ELIMINATION OF INCOME TAX ALLOWANCE.

"The Secretary of the Treasury shall instruct the United States Executive Director of the Fund to present to the Fund's Executive Board, and work for the adoption of, a proposal to amend the Fund's bylaws to disallow the Fund from issuing a tax allowance to the Governors, the Executive Directors, their alternates, the Managing Director, or any other officer, employee, or staff member of the Fund.".

H.R. 4569

OFFERED BY: MR. SANDERS

AMENDMENT NO. 34: Page 118, line 9, insert "(a) IN GENERAL.—" after "606.".

Page 118, after line 26, insert the following:

(b) AUTHORITY TO PARTICIPATE IN THE NEW ARRANGEMENTS TO BORROW CONDITIONED ON CERTIFICATION.—The authority provided in amendments made by subsection (a) to make loans under section 17 of the Bretton Woods Agreements Act pursuant to the New Arrangements to Borrow, shall not take effect until the Secretary of the Treasury certifies that the bylaws of the International Monetary Fund provide that the International Monetary Fund shall not provide funds to any country experiencing a financial crisis resulting from excessive and imprudent borrowing by government or private borrowers, unless the private creditors, investors, and banking institutions which had extended such credit make a significant prior contribution by means of debt relief, rollovers of existing credit, and the provision of new credit, as part of an overall program approved by the International Monetary Fund for resolution of the crisis.

H.R. 4569

OFFERED BY: MR. SANFORD

AMENDMENT NO. 35: At the end of the bill, insert after the last section (preceding the general short title) the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

ELIMINATION OF SPENDING CAP ADJUSTMENTS FOR INTERNATIONAL MONETARY FUND FUNDING INCREASES

SEC. ____. (a) AMENDMENT TO THE CONGRESSIONAL BUDGET ACT OF 1974.—Section 314(b) of the Congressional Budget Act of 1974 is amended by striking paragraph (3) and by redesignating paragraphs (4) through (6) as paragraphs (3) through (5), respectively.

(b) AMENDMENT TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF

1985.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking subparagraph (D) and by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively.

H.R. 4569

OFFERED BY: MR. BOB SCHAFFER OF COLORADO

AMENDMENT NO. 36: At the end of the bill, insert after the last section (preceding the general short title) the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

REQUIREMENT THAT FOREIGN COUNTRIES THAT ARE PROVIDED UNITED STATES FUNDS THROUGH THE INTERNATIONAL MONETARY FUND FOR THE PURCHASE OF AGRICULTURAL COMMODITIES USE SUCH FUNDS FOR THE PURCHASE OF SUCH COMMODITIES FROM UNITED STATES PRODUCERS

SEC. ____. Title XIV of the International Financial Institutions Act (22 U.S.C. 262n–262n–2) is amended by adding at the end the following:

"SEC. 1404. REQUIREMENT THAT FOREIGN COUNTRIES THAT ARE PROVIDED UNITED STATES FUNDS THROUGH THE INTERNATIONAL MONETARY FUND FOR THE PURCHASE OF AGRICULTURAL COMMODITIES USE SUCH FUNDS FOR THE PURCHASE OF SUCH COMMODITIES FROM UNITED STATES PRODUCERS.

"(a) IN GENERAL.—The Secretary of the Treasury shall instruct the United States Executive Director at the International Monetary Fund to use the voice and vote of the United States to oppose the provision by the International Monetary Fund of any assistance to a country for the purchase of an agricultural commodity unless the country has entered into an agreement with the International Monetary Fund under which the United States portion of the assistance, in lieu of being disbursed to the country, is disbursed in the manner described in subsection (c), and the country remains obligated with respect to the assistance as if the assistance had been disbursed directly to the country.

"(b) UNITED STATES PORTION OF ASSISTANCE TO A COUNTRY.—In subsection (a), the term 'United States portion of the assistance' means the total amount of the assistance, multiplied by the percentage of the assets of the International Monetary Fund that are attributable to United States contributions to the International Monetary Fund, and interest earned by the International Monetary Fund on such contributions.

"(c) DISBURSEMENT OF UNITED STATES PORTION OF ASSISTANCE.—On the making of a contract between the country and a United States producer of an agricultural commodity under which, among other things, the country has agreed to purchase a quantity of the commodity from the producer at a price in United States dollars that is not less than the average price in United States dollars for the commodity on the world market during calendar year 1995, and the producer has agreed to consider payment by the International Monetary Fund for the commodity to be payment by the country, the International Monetary Fund shall disburse to the United States producer, from the United States portion of the assistance referred to in subsection (a), an amount sufficient to make the purchase.".

H.R. 4569

OFFERED BY: MR. SENSENBRENNER

AMENDMENT NO. 37: In section 517, add the following new subsection at the end:

(g) None of the funds appropriated under the heading "Assistance for the New Independent States of the Former Soviet Union" shall be made available for assistance for the Government of Russia unless—

(1) the President has reported to Congress that the government of Russia has developed and is implementing a credible plan to meet its obligations as outlined in the Annex to the Agreement Among the Government of Canada, Governments and Member States of the European Space Agency, the Government of Japan, the Government of the Russian Federation, and the Government of the United States of America Concerning Cooperation on the Civil International Space Station, signed on January 29, 1998, and Article 3 of the Memorandum of Understanding Between the National Aeronautics and Space Administration of the United States of America and the Russian Space Agency Concerning Cooperation on the Civil International Space Station; and

(2) the Secretary of the Treasury has reported to Congress that Russia has developed and is implementing a plan that will succeed in funding the obligations described in paragraph (1).

H.R. 4569

OFFERED BY: MR. TIAHRT

AMENDMENT NO. 38: Page 8, line 10, after "services" insert the following:

; and that any such voluntary family planning project shall meet the following requirements: (1) the project shall not make use of quotas, goals, or other numerical targets, on an individual, local, regional, or national basis, of total number of births, the number of family planning acceptors, acceptors of a particular method of family planning, or any other performance standard (this provision shall not be construed to include the use of quantitative estimates for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or any other form of compensation or reward, monetary or nonmonetary, to (A) an individual in exchange for becoming a family planning acceptor, or (B) program personnel for achieving any numerical goal or quota; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall inform family planning acceptors, in comprehensible terms, of the nature of the family planning method chosen, its contraindications and potential health risks, and available alternatives; (5) the project shall provide a reasonable range of options of methods of family planning, including natural methods; and (6) the project shall ensure that experimental methods of family planning are administered only in a scientifically controlled study in which participants are advised of potential risks and benefits; and, not later than 30 days after the date on which the Administrator of the United States Agency for International Development determines that there has been a violation of any provision contained in the preceding 6 paragraphs, or a violation of any other provision contained in this heading, the Administrator shall submit to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate a report containing a description of such violation

H.R. 4569

OFFERED BY: MR. WELDON OF PENNSYLVANIA

AMENDMENT NO. 39: Page 141, after line 18, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

PRINCIPLES GOVERNING INTERNATIONAL MONETARY FUND ASSISTANCE TO RUSSIA

SEC. 701. The Bretton Woods Agreements Act (22 U.S.C. 286–286mm) is amended by adding at the end the following:

"SEC. 61. PRINCIPLES GOVERNING INTERNATIONAL MONETARY FUND ASSISTANCE TO RUSSIA.

"(a) CONDITIONS AND LIMITATIONS OF ASSISTANCE.—The Secretary of the Treasury shall instruct the United States Executive Director at the Fund to use the voice and vote of the United States to urge the Fund—

"(1) to not provide any assistance to the government of the Russian Federation or of any political subdivision of the Russian Federation, or to any other entity in the Russian Federation, until there is in effect a Russian federal law that implements the economic reforms described in subsection (b); and

"(2) to provide assistance to the Russian Federation or a political subdivision of the Russian Federation only to aid the implementation of such reforms.

"(b) ECONOMIC REFORMS.—The economic reforms described in this subsection are the following:

"(1) Land reform, including private ownership of land.

"(2) Further privatization of state-owned industrial enterprises.

"(3) Tax reform, including increased collection of tax obligations.

"(4) Development of effective commercial law, including the ability of individuals to seek enforcement of contracts by an effective judicial system.

"(5) Establishment of residential mortgage financing system for middle class individuals residing in the Russian Federation.

"(6) The development of criteria for evaluating the effectiveness of regional economic reform programs in the Russian Federation, and the use of such criteria to assure that Western resources are provided to the political subdivisions of the Russian Federation on an equitable basis, taking into account the necessity to provide incentives for political subdivisions to implement viable economic reforms and to reward those that have made progress in implementing such reforms.

"(7) The development of steps to make the recipients of Western resources in the Russian Federation accountable for the use of such resources.".

RUSSIAN-AMERICAN FINANCIAL OVERSIGHT COMMISSION

SEC. 702. (a) IN GENERAL.—The Speaker of the House of Representatives and the President of the Senate shall seek enter into negotiations with the State Duma of the Russian Federation for the establishment of a commission which would—

(1) be composed of 8 Members of the United States Congress and 8 Deputies of the State Duma;

(2) monitor expenditures of the funds provided to the government of the Russian Federation or a political subdivision of the Russian Federation by the United States or the international community, for the purpose of evaluating that the funds are used for only for the purposes for which provided; and

(3) create a working group of financial experts tasked with developing a comprehensive program to reform, privatize, or close

industrial enterprises in the Russian Federation that are bankrupt and are (or would be) not competitive under conditions of a market economy without significant government financial support.

(b) MEMBERSHIP.—On the successful conclusion of negotiations under subsection (a), the Speaker of the House of Representatives and the President of the Senate are jointly authorized to appoint 8 Members of Congress to the commission established pursuant subsection (a).

SENSE OF THE CONGRESS ON ESTABLISHMENT OF JOINT UNITED STATES-RUSSIAN FINANCIAL EDUCATION PROGRAM

SEC. 703. It is the sense of the Congress that the United States and the government of the Russian Federation should conclude an agreement under which students in the Russian Federation would enroll in colleges and universities in the United States at undergraduate and graduate levels for the purpose of developing a network of financial specialists in the Russian Federation, and students so enrolled would, on completion of their studies in the United States, be required to return to the Russian Federation and work for the federal or a regional government in Russia.

IMF REFORM COMMISSION

SEC. 704. The Secretary of the Treasury shall instruct the United States Executive Director at the Fund to use the voice and vote of the United States to urge the Fund to create a commission, composed of prominent international financial experts, for the purpose of drawing up recommendations for reforming the Fund, with a view to achieving more transparency in the structures of the Fund and increasing the effectiveness of Fund programs while decreasing financial risk.

RUSSIAN HOUSING LOAN PROGRAM

SEC. 705. (a) LOAN PROGRAM.—There is hereby established a pilot housing loan program for the people of Russia, with such funds as may be made available, as the means by which the average Russian citizen may attain affordable home ownership.

(b) RESTRICTIONS.—None of the funds under this section may be made available—

(1) for transfer to the Government of Russia; or

(2) for the purposes of providing Russian military housing.

(c) ESTABLISHMENT OF ADMINISTERING CORPORATION.—Funds appropriated under this section shall be administered in the following manner:

(1) Such sums as may be made available for this pilot Russian housing loan program shall be administered directly through a nonprofit corporation (hereinafter the "Corporation"), consisting of a 13-member Board of Directors, the members of which shall be appointed by the President of the United States from lists provided by the following individuals:

(A) Two members from a list provided by the Speaker of the United States House of Representatives.

(B) One member from a list provided by the minority leader of the United States House of Representatives.

(C) Two members from a list provided by the majority leader of the United States Senate.

(D) One member from a list provided by the minority leader of the United States Senate.

(E) Two members appointed by the President of the United States at his discretion.

(F) Four members from a list provided by the President of the Russian Federation.

(G) One member from a list provided by the Chairman of the Russian State Duma.

(2) The President of the United States shall select a Chairman of the Board of Directors from among the 13 board members. The Chairman shall serve a single 2-year term. The entire Board of Directors shall serve a 2-year term and have the authority to select other officers and employees to carry out the purposes of the Fund and the program.

(d) LOAN SIZE AND TYPE.—Since it is the intent of the housing loan program to provide loans for the average middle-income potential Russian home buyer, loans shall range between the equivalent of $10,000 to $50,000 (U.S.). This amount shall be determined by the Corporation and shall fluctuate in accordance upon market conditions. Loans shall be for a term of 10 to 30 years and may be prepaid at any time without penalty. Loan payments shall be amortized on a basis of level monthly payments.

(c) WORKING GROUPS.—The Corporation shall have the authority to establish working groups comprised of Russian and American experts, for the purpose of making recommendations on topics essential to the success of the program, including, but not limited to—

(1) the preparation of the necessary legal and regulatory changes;

(2) the involvement of United States housing trade and labor associations in providing materials, training, and joint venture capital;

(3) ensuring adequate offsite infrastructure for new housing sites; and

(4) other issues as deemed appropriate by the Corporation.

H.R. 4569

OFFERED BY: MR. WOLF

AMENDMENT NO. 40: At the end of the bill, insert after the last section (preceding the short title) the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

NATIONAL COMMISSION ON TERRORISM

SEC. 701. (a) ESTABLISHMENT OF NATIONAL COMMISSION ON TERRORISM.—

(1) ESTABLISHMENT.—There is established a national commission on terrorism to review counter-terrorism policies regarding the prevention and punishment of international acts of terrorism directed at the United States. The commission shall be known as "The National Commission on Terrorism".

(2) COMPOSITION.—The commission shall be composed of 15 members appointed as follows:

(A) Five members shall be appointed by the President from among officers or employees of the executive branch, private citizens of the United States, or both. Not more than 3 members selected by the President shall be members of the same political party.

(B) Five members shall be appointed by the Majority Leader of the Senate, in consultation with the Minority Leader of the Senate, from among members of the Senate, private citizens of the United States, or both. Not more than 3 of the members selected by the Majority Leader shall be members of the same political party and 3 members shall be members of the Senate.

(C) Five members shall be appointed by the Speaker of the House of Representatives, in consultation with the Minority Leader of the House of Representatives, from among members of the House of Representatives, private citizens of the United States, or both. Not more than 3 of the members selected by the Speaker shall be members of the same political party and 3 members shall be members of the House of Representatives.

(D) The appointments of the members of the commission should be made no later than 3 months after the date of the enactment of this Act.

(3) QUALIFICATIONS.—The members should have a knowledge and expertise in matters to be studied by the commission.

(4) CHAIRMAN.—The chairman of the commission shall be elected by the members of the commission.

(b) DUTIES.—

(1) IN GENERAL.—The commission shall consider issues relating to international terrorism directed at the United States as follows:

(A) Review the laws, regulations, policies, directives,and practices relating to counterterrorism in the prevention and punishment of international terrorism directed towards the United States.

(B) Assess the extent to which laws, regulations, policies, directives, and practices relating to counterterrorism have been effective in preventing or punishing international terrorism directed towards the United States. At a minimum, the assessment should include a review of the following:

(i) Evidence that terrorist organizations have established an infrastructure in the western hemisphere for the support and conduct of terrorist activities.

(ii) Executive branch efforts to coordinate counterterrorism activities among Federal, State, and local agencies and with other nations to determine the effectiveness of such coordination efforts.

(iii) Executive branch efforts to prevent the use of nuclear, biological, and chemical weapons by terrorists.

(C) Recommend changes to counterterrorism policy in preventing and punishing international terrorism directed toward the United States.

(2) REPORT.—Not later than 6 months after the date on which the Commission first meets, the Commission shall submit to the President and the Congress a final report of the findings and conclusions of the commission, together with any recommendations.

(c) ADMINISTRATIVE MATTERS.—

(1) MEETINGS.—

(A) The commission shall hold its first meeting on a date designated by the Speaker of the House which is not later than 30 days after the date on which all members have been appointed.

(B) After the first meeting, the commission shall meet upon the call of the chairman.

(C) A majority of the members of the commission shall constitute a quorum, but a lesser number may hold meetings.

(2) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the commission may, if authorized by the commission, take any action which the commission is authorized to take under this section.

(3) POWERS.—

(A) The commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the commission considers advisable to carry out its duties.

(B) The commission may secure directly from any agency of the Federal Government such information as the commission considers necessary to carry out its duties. Upon the request of the chairman of the commission, the head of a department or agency shall furnish the requested information expeditiously to the commission.

(C) The commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(4) PAY AND EXPENSES OF COMMISSION MEMBERS.—

(A) Subject to appropriations, each member of the commission who is not an employee of the government shall be paid at a rate not to exceed the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in performing the duties of the commission.

(B) Members and personnel for the commission may travel on aircraft, vehicles, or other conveyances of the Armed Forces of the United States when travel is necessary in the performance of a duty of the commission except when the cost of commercial transportation is less expensive.

(C) The members of the commission may be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the commission.

(D)(i) A member of the commission who is an annuitant otherwise covered by section 8344 of 8468 of title 5, United States Code, by reason of membership on the commission shall not be subject to the provisions of such section with respect to membership on the commission.

(ii) A member of the commission who is a member or former member of a uniformed service shall not be subject to the provisions of subsections (b) and (c) of section 5532 of such title with respect to membership on the commission.

(5) STAFF AND ADMINISTRATIVE SUPPORT.—

(A) The chairman of the commission may, without regard to civil service laws and regulations, appoint and terminate an executive director and up to 3 additional staff members as necessary to enable the commission to perform its duties. The chairman of the commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51, and subchapter III of chapter 53, of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay may not exceed the maximum rate of pay for GS-15 under the General Schedule.

(B) Upon the request of the chairman of the commission, the head of any department or agency of the Federal Government may detail, without reimbursement, any personnel of the department or agency to the commission to assist in carrying out its duties. The detail of an employee shall be without interruption or loss of civil service status or privilege.

(d) TERMINATION OF COMMISSION.—The commission shall terminate 30 days after the date on which the commission submits a final report.

(e) FUNDING.—There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.