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Senate

(Legislative day of Tuesday, October 10, 1995)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

A voice from the past calls us to make our work this day an expression of our faith. In 1780, Samuel Adams said, ''If you carefully fulfill the various duties of life, from a principle of obedience to your heavenly Father, you will enjoy that peace which the world cannot give nor take away.'' Let us pray:

Gracious Father, we seek to be obedient to You as we fulfill the sacred duties of this Senate today. May the Senators and all who assist them see the work of this day as an opportunity to glorify You by serving our country. We renew our commitment to excellence in all that we do. Our desire is to know and do Your will. Grant us a profound experience of Your peace, true serenity in our souls, that comes from complete trust in You and dependence on Your guidance. Free us of anything that would distract us or disturb us as we give ourselves to the tasks and challenges today. In the Lord's name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator from Utah is recognized.

SCHEDULE

Mr. HATCH. Mr. President, this morning there will be a period for morning business until the hour of 11 a.m. today. At 11, the Senate will resume consideration of H.R. 927, the Cuba sanctions bill. A cloture motion was filed on the substitute amendment to that bill yesterday, and if an agreement can be reached it is possible that the cloture vote could occur as early as this evening.

All Senators are reminded that, in accordance with the provisions of rule XXII, all first-degree amendments to the substitute must be filed by 1 p.m. today.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. THOMPSON). Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 11 a.m., with Senators permitted to speak therein for up to 5 minutes each.

Under the previous order, the Senator from Utah [Mr. HATCH] is recognized to speak for up to 30 minutes.

REVITALIZING AMERICA'S DRUG CONTROL EFFORTS

Mr. HATCH. Mr. President, it is time to speak plainly. To borrow a phrase, President Clinton has been AWOL—absent without leadership—on the drug issue. Our country is badly hurt by his abdication of responsibility. This is the opinion of both liberals and conservatives, Republicans and Democrats.

A little more than 1 year ago, President Clinton signed into law the Violent Crime Control and Law Enforcement Act of 1994. In doing so he stated that ''this is the beginning, not the end, of our effort to restore safety and security to the people of our country.''

To commemorate the 1-year anniversary of that measure's enactment, the Clinton administration held several days of media events.

Unfortunately, while President Clinton and his aides were celebrating the year-old crime bill, HHS announced that teen drug use almost doubled over the past 2 years. Just as Nero fiddled while Rome burned, the Clinton administration holds media events while seemingly ignoring the evidence of a worsening drug crisis.

Let me take you back a few years, to 1992. As a candidate for President, then Mr. Clinton talked tough on drugs, declaring that ''President Bush hasn't fought a real war on crime and drugs * * * [and] I will.''

On the link between drugs and crime, candidate Clinton said ''We have a national problem on our hands that requires a tough national response,'' as reported in the New York Times, March 26, 1993, referring to previous Clinton statements.

Since the campaign, however, President Clinton has rarely mentioned the drug issue in a substantive way. He has not made the drug issue a visible crusade. He simply has not led this country against the scourge that is killing our children.

Not so long ago, Nancy Reagan led the ''Just Say No'' campaign. That was just one demonstration of committed leadership at the national level. Today, we hear virtually nothing from the White House. We need a campaign to get the President to ''Just Say Something''—and say it loudly and consistently.

Through the 1980's and into the early 1990's we saw dramatic reductions in casual drug use—reductions that were won through increased penalties, strong Presidential leadership, and a clear national antidrug message.

Casual drug use dropped by more than half between 1977 and 1992 according to the National Household Survey on Drug Abuse.

Casual cocaine use fell by 79 percent, while monthly cocaine use fell from 2.9 million users in 1988 to 1.3 million in 1992, again, from the National Household Survey on Drug Abuse. Imagine if we had had a 79-percent reduction in teen pregnancy, or AIDS transmission.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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The Federal drug control and treatment budget grew from $1.5 to $13 billion under Presidents Reagan and Bush.

Beyond the substantial investment of money and materiel, the drug war was fought by engaged Commanders in Chief, who used the bully pulpit to change attitudes. Presidents Reagan and Bush involved themselves in this effort and helped rescue much of a generation.

It was in the face of these gains that Mr. Clinton, then candidate for President, said he would do a better job than they.

Yet today, after only a few short years, we are rapidly losing ground, as illustrated by this chart.

I might say, rather than aggressively fighting this losing trend, the Clinton administration, like a sports franchise on the decline, appears content to celebrate past victories with prior leadership rather than trying to achieve anything of substance.

Over the past 2 years, almost every available indicator shows that our gains against drug use have either stopped or reversed.

This chart, ''Trends in High School Marijuana Use,'' from the most recent edition of the National High School Survey reported, for the second year in a row, sizable increases in drug use among our Nation's 8th, 10th, and 12th graders. In fact, as this chart illustrates, over the past 2 years, past month use of marijuana is up 110 percent for 8th graders, from 3.7 to 7.8 percent; up 95 percent for 10th graders, from 8.1 to 15.8 percent; and up 60 percent among 12th graders, from 11.9 to 19 percent.

Other surveys show similar trends. Last month, HHS released alarming figures showing that marijuana use is up sharply—up 50 percent—among young people. The category of ''recent marijuana use'' was up a staggering 192 percent among 14- to 15-year-olds. Among 12- to 13-year-olds, recent marijuana use was up 137 percent.

There are trends in youthful drug use between ages 12 and 17. This troubling data should come as no surprise. It follows last year's discouraging survey, which, as this next chart illustrates, shows the number of youthful, past year marijuana users increased by 450,000 users—up from 1.6 million in 1992 to 2.1 million in the space of just 1 year. As the chart illustrates, in 1994, that number reached 2.9 million. In other words, nearly 1.3 million more kids are smoking pot today than were doing so in 1992. That is astounding.

More to the point, this sharp increase in drug use comes on the heels of consistent declines in drug use dating back to 1979.

According to substance abuse experts, many of these youthful marijuana users will end up cocaine addicts. Joseph Califano, head of Columbia University's Center on Addiction and Substance Abuse, and former Secretary of HEW, estimates that 820,000 of these new youthful marijuana users will eventually try cocaine. Of these 820,000 who try cocaine, Califano estimates that some 58,000 will end up as regular users and addicts.

This country does not need another 58,000 cocaine addicts.

Prevention messages are not getting through, either. According to a recent survey by Frank Luntz, teens think cigarettes are more dangerous than marijuana. The May 1995 survey by Frank Luntz showed that 82 percent of 12- to 17-year-olds believe cigarettes are either ''somewhat'' or ''very'' dangerous, as compared with 81 percent for marijuana.

There are other ominous signs as well: According to a story in USA Today last month, a pending Government study will show an astounding 144-percent increase in overdose deaths nationally due to methamphetamines over the past 2 years.—USA Today, September 7, 1995.

Cocaine and heroin prices continue to fall, even as cocaine purity reaches record levels. Emergency room admissions for cocaine overdoses have never been higher.

These trends are disastrous. When Senator DOLE called attention to these trends in a recent op ed, three Clinton Cabinet Members—Brown, Shalala, and Reno—wrote back to say that ''teenage marijuana use * * * remains far below the record highs of the late 1970's and early 1980's.''—Washington Times, October 6, 1995.

In other words, we should not get too upset because today's drug problem is not as bad as it was at its worst point in our Nation's history.

Unfortunately, we are sitting on the edge of a major drug catastrophe, and President Clinton's lack of visibility and leadership has not helped.

In fact, there have been troubling signs since the earliest days of the administration. In early 1993, respected columnist A.M. Rosenthal described President Clinton's record in developing and promoting a strong antidrug policy as: ''No leadership. No role. No alerting. No policy.''—A.M. Rosenthal, New York Times, March 26, 1993.

Dr. Mitchell Rosenthal, the president of the Nation's largest residential treatment organization, Phoenix House, said that developing drug trends should have been ''a big signal to the President and his Cabinet that they've got to pay serious attention to [the drug problem].''—New York Times, July 16, 1993.

Back then, I warned this administration that ''the concept of the war against drugs is in danger of being dismantled by its relative silence.''

I warned that certain administration policies were ''tantamount to decriminalizing drugs'' and would have the effect of increasing drug use. Sadly, we critics are being proven right.

President Clinton has abandoned many of the drug control efforts undertaken by his immediate predecessors. Indeed, he has even abandoned the moral leadership of the bully pulpit.

President Clinton himself rarely speaks out against drug abuse, and he offers little, if any, moral support or leadership to those fighting the drug war in America or abroad.

For example, President Clinton has cut Federal interdiction efforts, which have helped check the flow of drugs into our cities, and States, to our children, and, in the past, made the drug trade a risky proposition. Two years ago, he ordered a massive reduction in the interdiction budgets of the Defense Department, Customs Service, and the Coast Guard. Cocaine seizures plummeted. U.S. Customs cocaine seizures in the transit zone dropped 70 percent, while Coast Guard cocaine seizures fell by more than 70 percent.

We have just learned that transit-zone interdiction results for the first 6 months of 1995 were even worse than last year. This chart illustrates the decline in transit-zone interdictions—down from 440 kilograms per day in 1992 to 205 kilograms per day in the first 6 months of 1995, even though drug pushing is up. Over the course of a year, the lowered disruption rate, from these figures, in 1992 and even 1993, means that as much as 85 additional tons of cocaine and marijuana could be arriving unimpeded on American streets, and killing our kids.

The administration also accepted a one-third cut in resources to attack the cocaine trade in the source and transit countries of South America, and disrupted cooperative efforts with source country governments when it ordered the Unite States military to stop providing radar tracking of drug-trafficking aircraft to Colombia and Peru.

The Clinton administration claimed these cuts to interdiction represented a so-called controlled shift. But the shift—in my opinion, and I think in the opinion of almost everybody who studies this—was really a reckless abdication of responsibility.

Having gutted our Federal efforts to stop drugs from arriving here, President Clinton has also weakened efforts to deal effectively with them once they hit our streets. Upon taking office, President Clinton promoted the drug czar to Cabinet level, but then slashed the drug czar's staff by 80 percent.

The President undercut law enforcement efforts initiated by his predecessors, allowing the DEA to lose 198 drug agents over a 2-year period. The President also proposed a fiscal year 1995 budget that would have cut 621 additional drug enforcement positions from the FBI, the DEA, the INS, Customs, and the Coast Guard.

Those cuts were blocked by congressional Republicans, and many Democrats, but they should never have been proposed in the first place.

Under President Clinton, Federal drug prosecutions have slipped—down more than 12 percent since 1992, from 25,033 in 1992 to 21,905 in 1995. I have asked, but the Justice Department has no coherent explanation for these declines.

And who could forget President Clinton's Surgeon General, who remarked, memorably, on the need to consider drug legalization.

Perhaps A.M. Rosenthal put it best when he wrote in the August 4, 1995, New York Times that: ''Mr. Clinton's leadership has sometimes seemed to us antidrug types as ranging from absent to lackadaisical.''

Mr. President, the Federal Government has a unique responsibility in attacking the drug trade.

Only the Federal Government can interdict drugs before they reach our streets, make drug trafficking more difficult, operate overseas, and mount complex multinational investigations. Every kilogram of cocaine or heroin that gets through makes State and local law enforcement's job more difficult and more dangerous.

Today, illicit drugs represent one of the greatest threats to America's future. Drugs contribute to a wide range of devastation affecting all Americans, particularly our children and youth. Drugs directly contribute to violent crime and property crime.

The break-up of marriages and families can often be linked to drug use, as can lower productivity in the workplace, poor education, and myriad other societal problems.

In fact, if drug use returns to the levels of the 1970's in this country, our ability to control health care costs, reform welfare, improve the academic performance of our school-age children, and reduce crime in our housing projects will all be seriously compromised. Indeed, we stand little chance of success in these battles if we lose further ground in the drug war.

This Congress must not allow the American people to think that we condone President Clinton's abdication of responsibility. We must not be complicit through our silence.

I believe a revitalized war on drugs would include the following elements: First, do more in Latin America: Fighting drugs at the source just makes sense—we ought to be going after the beehive, not just the bees. Foreign programs are cost-effective. For example, our program in Peru cost just $16 million to run last year.

It was very effective in some ways. It would be much more if we put some force behind it.

Second, we need to beef up interdiction. Interdiction programs are our first line of defense against smugglers. The administration should allow the Department of Defense to spend more than 0.3 percent of its budget currently devoted to drugs. That is the fiscal year 1995 level. The Coast Guard and Customs interdiction assets need to be restored as well.

Third, we have to encourage whoever is President of the United States to use the bully pulpit. President Clinton is our President, and I am hopeful that these remarks today will encourage him to use the bully pulpit to fight against this matter. Only the President can give the drug issue the high profile it deserves. Members of Congress on both sides of the aisle should encourage the President to speak out on this issue.

Fourth, we need to adjust our budget priorities. This country needs to look more closely at our budget priorities. We should consider reprogramming the surplus of the super-secret National Reconnaissance Office—estimated at up to $1.7 billion—into the drug war. This surplus is more than the combined drug budgets of DEA—the Drug Enforcement Administration—and the FBI. The DEA is $801 million and the FBI is $540 million, respectively, in fiscal year 1995. It is more than the total that we spent on interdiction last year. The fiscal year 1995 interdiction spending was $1.29 billion.

But the National Reconnaissance Office has up to $1.7 billion and it ought to be redirected into the drug war.

Fifth, we ought to make drug dealers pay. The most immediate effect of drug dealing on our local communities is the degradation of the causes in the quality of life.

Some States have laws forcing drug dealers to contribute to a local community impact fund. We need to look into the possibility of doing this on the Federal level.

Sixth, reject efforts to lower crack penalties. This May the U.S. Sentencing Commission proposed steep reductions in proposed sentences for crack cocaine dealers. It was irresponsible public policy. It had to be blocked. It was blocked by the full Senate on September 29. The Senate must remain firm to prevent unwarranted reductions in drug penalties.

Seventh, we have to fund drug treatment programs that work. The Federal Government permits drug addicts to get disability payments from Social Security, known as SSI payments. And in doing so it undercuts tough but effective treatment programs like Phoenix House. Roughly 20,000 addicts were receiving Social Security disability payments in 1990—payments because of their drug addiction. It should surprise no one to hear that 4 years later only 1 percent had recovered and left the rolls.

The Social Security disability system is being reformed, but we need to make sure that loopholes like these do not exist in other areas.

These are just a few of the things that we think we should be doing. Later this Congress, I plan to invite Members and policy experts to participate in a national drug summit. I want the Congress to examine policy options which will reverse these crushing increases in drug use in our society. I wish to bring national attention to bear on just how bad our situation has become. I want to revitalize the drug war.

In coming months, I will be calling upon a number of colleagues to join in this effort. And by working together, I believe we will be able to reclaim lost ground.

I do not come to this issue as a beginner. I have actually seen the ravages of drugs. I have seen them destroy families. I have seen young people, with tremendous potential, who literally were geniuses, who could have done anything they wanted to do in society completely gone, their minds gone because of drugs. I have seen murders and maimings and rapes and abuse, children abused because of drugs. I have seen drugs fund the Mafia and other organized crime groups in this country.

We have seen a proliferation of drugs on the streets in the greatest city in this world, Washington, DC. It has become a garbage dump of drugs and drug abuse and drug use and drug peddling. You can go down on some of the streets and see them peddling the drugs. It is pathetic that we allow this to continue to exist.

It is going to take all of us, but I am prodding the President. We have been friends. I have helped him in many ways up here, and I intend to continue to try to help him when he is right. But I am prodding him here today to get serious about this, to do something about it. Worry a little bit more about our children. Get out there out front and do the things that really the President ought to be doing to let our society and our people know that drug abuse is a wrongful thing; that it is a harmful thing; that it is a life-destroying thing; that whether the life continues or not, it is destroyed, and many lives actually are destroyed, not just the living but people have died because of drugs and drug overdoses, and it is a health matter. We are paying through the nose in emergency rooms across this country in uncompensated care because of this particular malady that has affected our affluent society, and we have to do something about it.

There is nobody in our society who should be able to do it better than whoever is President of the United States. I believe with President Clinton's ability to articulate he could do a very good job, and it would help him with the American people if he would. So I am encouraging him to do this today by pointing out the deficiencies that exist and saying let us quit letting them exist. Let us do something about it. And I hope all of us can work together in encouraging him to do so.

Mr. President, I thank the Chair, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SANTORUM). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CAMPBELL). Without objection, it is so ordered.