

correct some imbalances. I have been honored to have served on the subcommittee with him and the other members of that subcommittee and to see a bankruptcy bill come forward that actually improves the bankruptcy process while at the same time not denying those who need bankruptcy the right and opportunity to file bankruptcy as is provided for in our Constitution.

With regard to these attorneys' fees and to one of the provisions that would be eliminated by Senator FEINGOLD'S amendment, I would like to make a couple comments.

First of all, the Feingold amendment would say that if somebody filed under chapter 7—that is, straight bankruptcy that wipes out all of your debts—and they were not substantially justified in that circumstance, then the trustee would have to file a motion to object and have a hearing and be paid for out of his funds. And if he prevailed, it would go into chapter 13, where the person filing bankruptcy would at least have to pay back a substantial part of his debts on a monthly basis in a payout plan, which we need more of in this country.

But the point is this. If the lawyer was not substantially justified in filing his client under chapter 7, and we had to conduct a court hearing to get the case transferred to chapter 13 because of his error, then who ought to pay? Under the Feingold amendment, the people who loaned money to the debtor would pay for the cost of getting the case transferred, instead of the lawyer who filed it. It doesn't just say the lawyer was in error. It said he was not "substantially justified" in filing.

The judges know who these lawyers are. They see them come before the courts all the time. The judges are going to give the lawyers a fair shake on these matters. They are not going to hit them every time a case is certified from chapter 7 to 13. But, if the attorney was not substantially justified in filing the case under Chapter 7, the debtor ought to pay. There is no free lunch. Somebody will pay.

I think the Senator from Iowa is correct. The Feingold amendment does undermine the integrity of the system. It takes the burden off of the lawyer, allows him to freely file wherever he wants. There is no burden on him to file it under the right act.

Once again, this is a historic bill and a good bill. I wish we could do some additional things which I believe are important. However, it does many, many things that are important and will improve a bankruptcy system that is out of control. It is to Senator GRASSLEY'S credit that at a meeting with Members of the other party he agreed to a long list of amendments to be debated; I think 16. We need to move this bill. I thought we were down here this afternoon for people to offer amendments; they would offer them and debate them so we could vote on them and get on with this bill.

I have been in this body less than 2 years now, but it seems to me there are people who just don't want anything to pass. They want to go into November and say, "The Republicans don't want to pass any legislation. They have a majority. We can't get legislation passed."

If people have a right to present amendments and won't come to the floor, how will we get the bill up for a vote? It is almost a filibuster in secret—an underground filibuster.

I have been on Senator GRASSLEY'S subcommittee and I care about this bill. We are interested in approving the bill if the amendments are good, and we need to oppose the amendments if they are not good. I think it is time for people who say they want good legislation to improve justice in America to present amendments. Let's get on with this legislation. The House has acted. It is time for the Senate to do our job. The result will be something good for America.

It was not a partisan bill in committee. It had overwhelming support in the subcommittee and came out of the full Senate Judiciary Committee 16-2, Democrats and Republicans alike joining in this amendment. I don't know why we aren't able to proceed and bring it to a vote and pass it. We have the kind of bill that will help this country. We ought not wait any longer. It is time to pass it.

I just note for the record that the Presiding Officer is a member of the Judiciary Committee and has been very supportive of this legislation and helped work hard to improve it. I thank the Chair for his leadership and skill as an attorney to contribute to this debate.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask to speak for 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

DRUGS AND KIDS

Mr. GRASSLEY. Mr. President, this past month, while we were away for the August recess, there was more bad news on the illegal drug front. It seems like the administration waits until no one is looking to release bad news. The administration waited until late in August and waited until a Friday afternoon to release the data. Needless to say, the President did not discuss this data on his regular radio show. I wonder why that is.

On Friday, 21 August, the annual Household Survey on Drug Abuse made

its appearance. I want to share with my colleagues some of the data from that study. The information is based on a national survey of households in 1997. In this most recent survey, 24,000 people were interviewed, with an expanded survey for California and Arizona. For those of us concerned about drug use among our young, the numbers are disturbing.

Before I go into more detail on these numbers, let me explain something else. In this survey, as in all the others from this administration, there is an attempt to hide the pea. Most of my colleagues will remember the old carnival shell game. In the game, the object was to guess under which of three walnut shells the dealer hid the pea. Keep your eye on the shells.

According to the 1997 survey, 13.9 million Americans were current users of illicit drugs. A current user is someone who reported using in the past month before the survey. The survey notes that this is not a significant increase over 1996 when the number was 13 million. It also notes that this number is half of what it was in 1979, when the number was at its highest. Now, perhaps in someone's book an increase of 900,000 people is not statistically significant. But not in my book. It is even more significant that most of that increase is occurring among 12-17 year olds. The numbers are going up.

In 1992, there were 11 million current users. In 1993, there were 12 million. There are now almost 14 million. And these numbers may not tell the whole truth. Based on preliminary reviews of these household numbers by ONDCP, this type of survey is prone to undercounting. If that is true, then our problem could be very much more serious than we think. In addition, the administration is still trying to hide these numbers in happy talk about the reductions in drug use since 1979.

I am glad that we have not yet returned to the levels of reported use we saw in 1979. But let's remember something about how we got to those high levels then. They were the result of ignoring or making little of the fact that the United States had become a drug-using culture. In the early 1960's, there was no drug problem in this country. Less than 2 percent of the population indicated any regular drug use.

By 1979, that number had increased to over 10 percent, a fivefold increase. Those were the years of arguments that drugs were okay. That they did not hurt anyone. That you could use drugs responsibly. Our popular culture and many in our cultural elite made much of the benefits of using drugs. And who was the target audience for this message? It was kids, mostly aged 16-20. This age group began to experiment with illegal drugs in ever-increasing numbers. What that meant was that the increase in drug use between 1965 and 1979, while only 11 or so percent of the overall population, fell disproportionately on the young. This age group accounted for less than 25 percent of the population but bore most of

the increase in drug use. The consequence was and remains a natural and national disaster.

Most of our addict population today comes from that cohort of users. Much of our increases in crime and domestic violence trace back to this source.

That episode of rapidly expanding drug use also created a continuing market in this country for illegal drugs that keeps the drugs flowing to our streets. It also created a builtin lobbying group that seeks to legalize drugs and make them available to yet more kids to this day.

Despite this, after 1979, when we woke up to the problem, we made major strides in reducing use among young people. We were very successful. It is interesting that today's legalizers try to cover up that fact. They would have us believe that since you cannot make a difference, our only rational choice is to make drugs widely available. Never mind that this is patently not true. As others have discovered, there is a benefit in relying on public amnesia on certain issues and on the useful lie. The simple fact is, that in the 1980's and early 1990's, with Just Say No and the war on drugs, we reduced drug use among kids by over 50 percent. We reduced cocaine use, which was the drug of choice, by 70 percent.

These were phenomenal gains made in just a few years. It is that success that the present administration is trying to invoke to paper over bad news.

Let me cite some of the current numbers: In 1997, 11.4 percent of young people 12-17 reported using an illegal drug in the 30 days before the survey. In 1992, that number was 5.3 percent. What that means is that we have seen a doubling in the current use of an illegal drug among the most at-risk population in just 5 years. But the administration takes heart in the fact that the 11.4 percent number is still lower than the 14.2 percent number in 1979. The problem is, after 1979 the numbers started going down in response to public and government efforts. Today the trend is against us.

But there's worse. Between 1996 and 1997, current illegal drug use increased significantly among 12- and 13-year-olds, rising from 2.2 to 3.8 percent. We are now seeing the onset of drug use among younger and younger kids. And we know from studies and experience that the earlier the onset of use the longer drug use lasts. The earlier the onset the more serious are the physical, psychological, and health consequences, and the harder it is for treatment to have any effect. And more and more young people are trying drugs.

Based on these numbers, the rate of first use of marijuana among young adults was at the highest levels since 1980.

The estimated number of new heroin users among the young was at the highest levels in 30 years.

The rate of first use of cocaine among youth was at its highest level in 30 years.

These use numbers are bad enough but there's another trend that makes them even scarier. One of the things that predicts increases in use is attitudes toward the dangers of using drugs. When people think using is risky and bad, fewer people use. We see this correlation in the years drug use among 12-17-year-olds was declining. But in the last several years more and more kids see no danger in using drugs.

Somewhere between 1992 and today we lost our clear, consistent, coherent anti-drug message. As a result, 1998 is beginning to look a lot like 1968 in terms of attitudes toward drugs. We are seeing bolder and better-funded efforts by legalizers to push drugs in the public marketplace. Many in Hollywood and the recording industry are back with the them that drugs are your friend. The culture and intellectual elite are back to arguing pro-drug themes.

We are also the beneficiaries of ambivalent messages from the administration on drug use. It has favored needle giveaway programs. It has been largely inert on the effort to legalize marijuana by calling it a medicine. It has downgraded or deemphasized our law enforcement and interdiction programs. And it has consistently tried to whitewash the bad news with happy talk. When you see numbers like these, repeated year after year, you've got a trend. The trend is against us. Where is this administration on this issue. What is it going to do? Clearly, what it has done so far is not working.

This is not right. It is not good. We are today well on our way to creating a drug-using population of young people to pass on to the next generation of policy makers and politicians. We are in the process of committing many of the same mistakes we learned to correct just a few years ago. I have no doubt we will eventually realize the mistake, but how many kids are we going to sacrifice to this new learning before we recover our senses?

DRUGS IN THE HEARTLAND

Mr. GRASSLEY. Mr. President, during the last week of the August recess, I traveled around Iowa launching a statewide antidrug coalition effort. I have been working on putting this program together for the last 2 years. It is an effort to bring together elements from all across my State from all areas of life to deal with the growing drug problem. I have spoken often about this problem here and in many of my public speeches. While we often hear about drug use in our inner cities, we are, perhaps, a little less prepared to learn about major drug use problems in our rural areas. Well, it's here and it is every bit as serious as drug use in our major urban centers. On my trip around Iowa, a young man named Josh, all of 15 years old, joined me.

Josh began using drugs at 11 and was an addict before he was a teenager. He began using marijuana. His friends told

him it was "cool." He moved from that to just about every drug you can name. His story is becoming all too common. Last April, I held a field hearing in Cedar Rapids. The star witness at that hearing was a young woman of 17 who was a methamphetamine addict at 15. She was not only a user, she was also a pusher.

Today, methamphetamine use in Iowa is twice the national average. Iowa is the target for Mexican criminal gangs pushing this drug every bit as much as San Diego or Los Angeles. Iowa and other States in the Midwest are also becoming home to an epidemic of meth-producing laboratories.

Many of these are located on farms or in small towns little prepared to be drug-producing emporiums.

If you talk to local sheriffs or police officers in even tiny towns, the story is shocking. I had a letter recently from a policeman in Ottumwa, Iowa, the home of Radar O'Reilly. What he tells me is that meth is now a major problem in this community of 30,000. It's not just a problem of users. It is increasingly a problem of producers. Many of the meth addicts have gone into the business of making their own. It's all too easy. If they can't get advice on how to make meth from their friends or contacts, why, they can simply pull it down off the Internet. Try it, if you don't believe me, it's that easy. You can put a small lab together in your kitchen.

You can use common household chemicals or chemicals used in agriculture, a frying pan, coffee filters, and a microwave.

Police have found labs in trailers, in vans, and sport vehicles. According to the policeman from Ottumwa, hardware stores there are having a problem keeping supplies of drain cleaner in stock because it is popular with the kitchen-lab crowd. Farmers across Iowa are having trouble with people stealing anhydrous ammonia. Anhydrous ammonia is used as a fertilizer to help fix nitrogen in the soil to grow corn. It is also used to produce meth. Local addicts and producers are stealing it from farms. County farm bureau organizations are having to issue advisories to farmers how to spot these thefts. This is only one of the chemicals. Many of these are carcinogenic. They are all dangerous and polluting.

This means the lab sites are toxic and dangerous and expensive to clean up. In many cases, the toxic waste materials are dumped into the ground or poured down the kitchen sink.

One of the major farming magazines in Iowa, Wallaces Farmer, devoted most of its September issue to this problem. Wallace Farmers does not normally deal with drug questions. But the most recent issue has a 20-page special on how meth is tearing apart the heartland. This should tell us something about what's happening. This story is increasingly common not only in Iowa but throughout the Midwest and the West. It is a problem moving eastward.