

He hopes to reinvigorate a successful program of a few years ago in which senior citizens were able to get low cost smoke detectors through the fire department.

Chief Brunelle has not yet negotiated a final contact with the Board of Fire Commissioners, but is expected to earn about \$76,000 a year.

#### MESSAGES FROM THE PRESIDENT

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

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a treaty, a withdrawal and sundry nominations which were referred to the Committee on Governmental Affairs.

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

#### REPORTS OF COMMITTEES

The following report of committees was submitted:

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1415: A bill to reform and restructure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, to redress the adverse health effects of tobacco use, and for other purposes (Rept. No. 105-180).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:Q

By Mr. ASHCROFT:

S. 2023. A bill to provide increased penalties for drug offenses involving minors; to the Committee on the Judiciary.

S. 2024. A bill to increase the penalties for trafficking in methamphetamine in order to equalize those penalties with the penalties for trafficking in crack cocaine; to the Committee on the Judiciary.

By Mr. COVERDELL (for himself and Mr. ABRAHAM):

S. 2025. A bill to promote the safety of food, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DEWINE (for himself and Mr. HUTCHINSON):

S. 2026. A bill to require the Commissioner of Food and Drugs to conduct assessments and take other actions relating to the transition from use of chlorofluorocarbons in metered-dose inhalers, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. BRYAN (for himself and Mr. REID):

S. 2027. A bill to clarify the fair tax treatment of meals provided hotel and restaurant employees in non-discriminatory employee cafeterias; to the Committee on Finance.

By Mr. ASHCROFT:

S. 2028. A bill to amend the National Narcotics Leadership Act of 1988 to extend the

authorization for the Office of National Drug Control Policy until September 30, 2000, to expand the responsibilities and powers of the Director of the Office of National Drug Control Policy, and for other purposes; to the Committee on the Judiciary.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ASHCROFT:

S. 2023. A bill to provide increased penalties for drug offenses involving minors; to the Committee on the Judiciary.

#### THE PROTECT OUR CHILDREN ACT OF 1998

S. 2024. A bill to increase the penalties for trafficking in methamphetamine in order to equalize those penalties with the penalties for trafficking in crack cocaine; to the Committee on the Judiciary.

#### THE METHAMPHETAMINE TRAFFICKING PENALTY ENHANCEMENT ACT OF 1998

Mr. ASHCROFT. Mr. President, today I am introducing three bills: No. 1, The Protect Our Children Act. This legislation substantially increases the penalties on adults who distribute drugs to minors, who sell drugs in or near schools, and who use minors to distribute drugs.

Each of these crimes currently carries a 1-year mandatory minimum sentence. My legislation would raise the mandatory term for each of these crimes to 3 years.

The legislation also makes it a crime for an adult to use a minor to commit a violent crime. Adults found guilty of using a minor would be subject to two times the maximum imprisonment and two times the maximum fine for the violent crime itself. We need to make it especially costly for adults who decide to use minors to commit crimes, because they think they can avoid the penalty themselves and because they believe that the minor might not have a substantial liability for punishment.

The second bill which I am introducing is the Methamphetamine Trafficking Penalty Enhancement Act. Meth production and trafficking are enormous problems across America, particularly in my home State of Missouri. The Methamphetamine Trafficking Penalty Enhancement Act equalizes penalties for crack cocaine and meth trafficking by setting a 5-year mandatory term for 5 grams of methamphetamine and a 10-year mandatory sentence for 50 grams.

Mr. President, I ask unanimous consent that the texts of the bills be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

#### S. 2023

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Protect Our Children Act of 1998".

#### SEC. 2. INCREASED PENALTIES FOR DISTRIBUTING DRUGS TO MINORS.

Section 418 of the Controlled Substances Act (21 U.S.C. 859) is amended—

(1) in subsection (a), by striking "one year" and inserting "3 years"; and

(2) in subsection (b), by striking "one year" and inserting "5 years".

#### SEC. 3. INCREASED PENALTY FOR DRUG TRAFFICKING IN OR NEAR A SCHOOL OR OTHER PROTECTED LOCATION.

Section 419 of the Controlled Substances Act (21 U.S.C. 860) is amended—

(1) in subsection (a), by striking "one year" and inserting "3 years"; and

(2) in subsection (b), by striking "three years" each place that term appears and inserting "5 years".

#### SEC. 4. INCREASED PENALTIES FOR USING MINORS TO DISTRIBUTE DRUGS.

Section 420 of the Controlled Substances Act (21 U.S.C. 861) is amended—

(1) in subsection (b), by striking "one year" and inserting "3 years"; and

(2) in subsection (c), by striking "one year" and inserting "5 years".

#### SEC. 5. USE OF MINORS IN CRIMES OF VIOLENCE.

(a) IN GENERAL.—Chapter 1 of title 18, United States Code, is amended by adding at the end the following:

#### "§25. Use of minors in crimes of violence

"(a) PENALTIES.—Except as otherwise provided by law, whoever, being not less than 18 years of age, knowingly and intentionally uses a minor to commit a crime of violence, or to assist in avoiding detection or apprehension for a crime of violence, shall—

"(1) be subject to 2 times the maximum imprisonment and 2 times the maximum fine for the crime of violence; and

"(2) for second or subsequent convictions under this subsection, be subject to 3 times the maximum imprisonment and 3 times the maximum fine otherwise provided for the crime of violence in which the minor is used.

"(b) DEFINITIONS.—In this section:

"(1) CRIME OF VIOLENCE.—The term 'crime of violence' has the same meaning as in section 16.

"(2) MINOR.—The term 'minor' means a person who is less than 18 years of age.

"(3) USES.—The term 'uses' means employs, hires, persuades, induces, entices, or coerces."

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 18, United States Code, is amended by adding at the end the following:

"25. Use of minors in crimes of violence."

#### S. 2024

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Methamphetamine Trafficking Penalty Enhancement Act of 1998".

#### SEC. 2. METHAMPHETAMINE PENALTY INCREASES.

(a) CONTROLLED SUBSTANCES ACT.—Section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) is amended—

(1) in subparagraph (A)(viii)—

(A) by striking "100 grams" and inserting "50 grams"; and

(B) by striking "1 kilogram" and inserting "500 grams"; and

(2) in subparagraph (B)(viii)—

(A) by striking "10 grams" and inserting "5 grams"; and

(B) by striking "100 grams" and inserting "50 grams".

(b) CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (1)(H)—

(A) by striking "100 grams" and inserting "50 grams"; and

(B) by striking "1 kilogram" and inserting "500 grams"; and

(2) in paragraph (2)(H)—

(A) by striking "10 grams" and inserting "5 grams"; and

(B) by striking "100 grams" and inserting "50 grams".

By Mr. COVERDELL (for himself and Mr. ABRAHAM):

S. 2025. A bill to promote the safety of food, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

THE FOOD RESEARCH, EDUCATION, SAFETY, AND HEALTH ACT OF 1998

Mr. COVERDELL. Mr. President, I believe that protecting our nation's food supply should be a high priority for Congress and this Administration. Today, America produces the safest food in the world, however, more needs to be done in order to make it even safer. We are increasingly becoming a global economy. Agricultural trade is on the rise. Due to these circumstances, there are new and emerging food borne threats which need to be addressed. That is why I am introducing a comprehensive food safety proposal, The Food Research, Education, Safety, and Health Act of 1998, also known as the F.R.E.S.H. Act, which will provide the additional tools and resources necessary to make our food even safer. I am pleased to have the distinguished Senator from Michigan (Mr. ABRAHAM), join me as an original co-sponsor of this legislation.

As chairman of the Senate Agriculture Subcommittee with jurisdiction over food safety issues, I believe this proposal could not come at a more critical time. The public is becoming increasingly concerned with the safety of their food. Over the past year, there have been increased reports of people becoming sick due to food borne related illnesses. Children and some adults became ill with Hepatitis A from contaminated strawberries distributed to schools through USDA's school lunch program. In addition, there have been reports, even as late as yesterday, of ground beef contaminated with the E.coli 0157:H7 bacteria having to be recalled from grocery store shelves.

In drafting this legislation, my staff and I have had numerous discussions with the University of Georgia. Dr. Mike Doyle, Director of the Center for Food Safety and Quality Enhancement and Department Head of Food Science and Technology at the University of Georgia, is a leading food safety authority and expert on the E.coli 0157:H7 bacteria. We talked with others, including farmers, health experts, processors, and government officials, in crafting this comprehensive, responsible food safety approach.

Several months ago, I traveled to Guatemala to investigate reports of unsanitary conditions existing within that country. This was prompted by reports of Guatemalan raspberries being contaminated with Cyclospora. While I was heartened and impressed by the investments and continuing efforts the

Guatemalan producers have made in food safety infrastructure, there are still legitimate safety concerns we have for American consumers which need to be addressed.

I believe we need to place a greater emphasis on food safety consumer education, research, and prevention efforts in order to continue to maintain our safe food supply. My legislation is intended to do just that. The F.R.E.S.H. Act provides for the following:

Consumer education food safety block grants to the States.

Directs the Department of Agriculture to carry out consumer education initiatives on the irradiation of foods.

Establishes a Food Safety Council for the purpose of evaluating and establishing priorities for food safety research and education, and food-related prevention activities. The Council would be required to submit an annual report to Congress on actions taken by the Council, including any recommendations for improvement in food safety.

Competitive research grants to study food borne pathogens and finding the best methods to reduce or eliminate them as a threat to humans.

Directs the Secretary of Agriculture to conduct a number of demonstration projects to determine the epidemiology and ecology of potential food borne pathogens and develop interventions. The Secretary would be required to submit report to Congress on these projects by no later than December 1, 2001.

Authorizes \$5 million for the Centers for Disease Control and Prevention (CDC) to pay for expense associated with the detection of food borne pathogens. This funding will be used for the employment of new scientists and the acquisition of new scientific equipment.

Authorizes \$5 million to enable the National Institutes of Health (NIH) to conduct research concerning medical treatments for individuals infected with food borne pathogens.

Directs the Secretary of Agriculture to establish a Food Safety Research Information Office in the National Agricultural Library. This office will provide the scientific community and other interested persons with information on public and private research activities on food safety.

Directs the Secretary of Agriculture to conduct risk assessments for each species of animal that is used to produce food in the U.S., at each step in the food chain in order to determine the risk of pathogens posed by the species. Risk assessments would also be conducted for each type of fruit and vegetable.

Authorizes \$10.4 million for the Food and Drug Administration (FDA) to hire new microbiologists and inspectors in order to decrease the risk of importing unsafe food products.

Mr. President, food safety is a matter of utmost importance to me, and the

American people. I urge my colleagues and the Administration to support this important legislative initiative.

By Mr. DEWINE (for himself and Mr. HUTCHINSON):

S. 2026. A bill to require the Commissioner of Food and Drugs to conduct assessments and take other actions relating to the transition from use of chlorofluorocarbons in metered-dose inhalers, and for other purposes; to the Committee on Labor and Human Resources.

THE ASTHMA INHALER PROTECTION ACT

Mr. DEWINE. Mr. President, I come to the floor this afternoon to introduce, along with my good friend Senator TIM HUTCHINSON of Arkansas, the Asthma Inhaler Protection Act.

This bill is designed to protect the millions of Americans who use medical inhalers for diseases such as asthma and cystic fibrosis. This Asthma Inhaler Protection Act is needed to make sure that the Food and Drug Administration is extremely—extremely—careful in how it phases out the use of asthma inhalers that contain chlorofluorocarbons, or CFCs.

This bill that Senator HUTCHINSON and I are introducing today makes sure that as FDA phases out the use of inhalers with CFCs, adequate replacements are available that meet all patients' needs. That is the key.

Mr. President, there are 15 million Americans who have asthma, almost all of whom regularly use asthma inhalers such as this one, 15 million Americans who have asthma, many of whom use inhalers just like the one I took out of my pocket. They use these inhalers to help them control their disease. Without having access to a drug that meets his or her specific needs, each of these Americans would be adding much greater risk of having an asthma attack or, if they have an asthma attack, not being able to control it short of going to the emergency room in a hospital, which is where many people had to go before they had access to these inhalers.

I had the personal experience with our daughter Becky a number of years ago when she was small and she had asthma. The doctor finally, after we had been to the emergency room time after time, said I think she needs to use these new inhalers that are on the market, even though they had not been prescribed for children at that time. He said go ahead and use it. So Becky started using these and it made her life a lot easier, certainly the life of her parents, as well.

Without access to a drug that meets these specific needs, each of these asthma sufferers would be in greater danger. Without an appropriate medication, they also would have a much worse chance of stopping an asthma attack once it has begun.

What is the problem? The problem is almost all asthma inhalers currently on the market contain CFCs. Almost every single one of them changes this.

Under international agreement, this country has agreed to the goal of eventually eliminating all uses—all uses—of CFCs.

What this means for asthma patients is that over a period of many years new inhalers that don't use CFCs will be brought to the market, and use of the old inhalers that contain CFCs will be phased out. But as we do this, as we comply with this international agreement—and this, of course, is something that was agreed to because of the concern for the environment, and I understand that—I think as we do this we must make sure this transition process is done very, very carefully and that we do it with the utmost attention to those individuals whose quality of life may depend on the use of these inhalers.

We must be absolutely sure that if and when we take an inhaler that contains CFCs off the market there are adequate replacements that meet the needs of each and every person that currently uses the old-time inhaler. My one and only goal when it comes to this transition is to make sure that all people, all people who rely on these drugs, continue to have access to inhalers that have been proven, already proven to meet their needs. All other issues are secondary to making sure that these patients are, in fact, protected.

In March of 1997 the FDA released its first proposal on how to go about this transition. Now, simply put, the FDA's initial response does not meet the goal of fully protecting asthma patients. The medical and patient communities have been unanimous in expressing concern that the FDA's proposal, when it goes into effect, could take existing medications away from patients without adequate replacements being at that time available. The bottom line is that the FDA's proposal could and will put patients at risk.

What do we do about it? Where do we go from here? I understand that many people believe the FDA has seen the light. Some people tell me they plan to correct the problems in their initial proposal during the next step of the process, the next step of the process being the proposed rule. Now, I would like to believe that this will happen, but I am not sure it will.

It is now over a year since the FDA released its earlier proposal, but despite all the public criticism which has ensued there has never been a single public statement by that agency that it intends to change the policy to address these very legitimate medical concerns. That is why I feel congressional action is necessary.

That is why Senator HUTCHINSON and I are introducing this bill today. We need to be sure that the FDA, as it pursues this transition, writes its policy so that all patients are protected. Because of this, I am pleased to cosponsor this legislation, S. 1299, a bill that Senator HUTCHINSON introduced last year. Let me say that Senator HUTCHINSON

has been someone who has taken the lead in this crusade.

That bill lets the FDA know in the clearest of terms that its initial proposal was unacceptable and that bill further gives the FDA guidance on how it should proceed with the rules for this transition.

Let me again congratulate my colleague from Arkansas for his leadership on this issue and for the introduction of his work on that bill. Since last year, Mr. President, I have continued to work on this issue. I have had my staff explore various options and various proposals. We have identified several additional ideas I believe are important to make sure that patients are protected and that should be included in any legislation on the phaseout of CFC inhalers.

Recently, I have worked with Senator HUTCHINSON to develop these thoughts into this piece of legislation that we are introducing today, the Asthma Inhaler Protection Act. Our bill does these things: First, it makes sure that the FDA, before it takes the next step of publishing a proposed rule, has looked at several issues that are necessary for the agency to make informed choices in this area. Second, our bill gives the FDA the broad outline of what the transition policy should look like so that all patients' needs are protected. Finally, our bill will help save FDA resources by telling the agency to not review any new drug applications for products that contain CFCs unless the new product represents a significant new medical advance.

I want to make clear that this bill is not necessarily a finished product. We are open to additional ideas and suggestions. We will consider any additional thoughts and ideas on how to improve the bill to make sure that people who use asthma inhalers are truly protected.

I hope my colleagues and anyone interested in the safety of Americans with asthma could look at this bill and consider supporting it. I believe this bill is crucial to get FDA back on the right course. It is absolutely necessary so that no asthma patients are ever put in a situation where they can't get the best inhalers that fit their very specific medical needs.

Again, I urge my colleagues to cosponsor this bill, which I believe is a matter of good common sense, and a bill that will help protect the asthma sufferers of this country.

By Mr. BRYAN (for himself and Mr. REID):

S. 2027. A bill to clarify the fair tax treatment of meals provided hotel and restaurant employees in non-discriminatory employee cafeterias; to the Committee on Finance.

#### THE WORKING MEALS FAIRNESS ACT

Mr. REID. Mr. President, I rise to introduce the Working Meals Fairness Act for myself and Senator BRYAN, which provides for the exemption of

meals from consideration as taxable income when provided as a benefit to employees of the service sector.

Mr. President, during the past few days the Finance Committee has conducted hearings in which victims of IRS injustice have provided poignant testimony of their experiences at the hands of overzealous IRS agents. Their testimony has made us all aware that the time has come to overhaul the manner in which the IRS deals with the honest law-abiding citizens of this country. This overhaul will require a fundamental restructuring of the IRS customer service organization and a fresh look at what constitutes fairness.

Mr. President, as part of this fresh look, I am joining Senator BRYAN today in introducing legislation to remedy an unquestionably unfair tax policy resulting from a recent tax court decision. It was a decision in support of the IRS' position which is going to have widespread effect on the working men and women who are employed by our hotels, restaurants and resorts. In short, this decision eliminated the deduction for meals provided to service industry employees by their employer. Our legislation would reform the manner in which gratuitous meals are treated as taxable income under current IRS code.

Mr. President, all across this country, workers are going to be asked to pay taxes to the IRS for the meal they receive while on duty in the service industry. These workers often work more than one job, while raising a family, and for all intents and purposes play by the rules. It isn't enough that these same workers pay transportation costs and child care costs to hold these jobs. Now we must tax the hand that feeds them. These meals are often provided for the convenience of both the employer and employee in order to provide the enhanced customer service which has become the hallmark of the service sector in this country.

Mr. President, our legislation, simply put, would exempt any meal, provided as a benefit of employment to an employee during their shift of duty, from being treated as taxable income.

Mr. President, this nation depends heavily on the vital contributions of the service industry. It is an industry characterized by high employee turnover, low wages and in many cases, poor benefits. In order to recruit and retain the quality worker that the industry depends upon, and we as consumers have come to expect, the provision of a meal is the least we can offer. To tax this meal is going a bit too far in my judgement. Isn't it ironic that we maintain a policy which costs the average service worker \$300 a year in additional taxes? Isn't it ironic . . . we often tax those who can least afford to pay?

Mr. President, my job in this body is to stand up for the workers of Nevada. I ask my colleagues to stand with me on this matter on behalf of workers in their state. Because of policies like

this, the average American is justified in their perception that the rich get richer and the poor stay poor. I therefore ask my colleagues in this body to join with me in taking another step on behalf of the American worker who sent us here to represent their interests.

Mr. President, it is time we all ask the IRS to leave the service workers of America alone. They are already paying their fair share.

Mr. President, I request unanimous consent that the Working Meals Fairness Act be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2027

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Section 119 of the Internal Revenue Code of 1986 is amended by adding the following new subsection:

(e) In the case of an employee of a hotel or restaurant, gross income shall not include the value of meals furnished to such employee by an employer in a non-discriminatory employee cafeteria located on the business premises of the employer immediately before, immediately after, or during work shifts.

By Mr. ASHCROFT:

S. 2028. A bill to amend the National Narcotics Leadership Act of 1988 to extend the authorization for the Office of National Drug Control Policy until September 30, 2000, to expand the responsibilities and powers of the Director of the Office of National Drug Control Policy, and for other purposes; to the Committee on the Judiciary.

THE DRUG CZAR RESPONSIBILITY AND ACCOUNTABILITY ACT OF 1998

Mr. ASHCROFT. Mr. President, I am introducing today the Drug Czar Responsibility and Accountability Act. It adds to the responsibilities of the drug czar's office the establishment of Federal policies, goals and performance measures, including specific reduction targets.

Why is such a measure needed? Consider this: Overall illicit drug use among children age 12 to 17 was 5.3 percent when the President took office. In 1996, it was 9 percent. That is an increase of 70 percent since 1993. Now, the President proposes to cut drug use by 20 percent by the year 2002. In other words, 2 years after the President wants to leave office, he hopes to get teen drug use to only 128 percent of where it was when he took office.

I happen to have been a Boy Scout. I think most of us in the Chamber have had some association with scouting. We either hauled kids to the campfires, to the Brownies, or to the Cub Scouts or Boy Scouts. The fundamental principle of scouting is you always leave the campground a little better than you found it.

Here we have a President who, in terms of teen drug use, wants to set as a goal that there will be 128 percent of the drug use that there was when he

came into office, and that goal isn't even supposed to be attained until 2 years after he leaves office.

I don't think we will ever achieve greatness in our culture if we don't at least aspire to good things. Our opportunity is to leave the campground better than we found it, not worse than we found it, and certainly not 128 percent worse than we found it. We cannot defer maintenance of the campground until after we are gone.

The tradition of America is to provide to the next generation a broader set of opportunities, a brighter set of horizons than we have ever known before. That should not be forgotten when we talk about curtailing the scourge of drugs on our young people.

Here we have a President who wants to instruct a drug czar to ratchet the drug problem all the way back to 128 percent of what it was when he started and not to get that done until 2 years after he leaves office. I think it is disgraceful.

Mr. President, because of my concern for combating underage drug use, I will also offer an amendment to the tobacco bill when it comes to the Senate floor to make certain the epidemic of underage illegal drug use is addressed in that respect. My amendment will allow States to use tobacco settlement funds for anti-illegal drug and law enforcement purposes, not just teen smoking programs.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2028

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE; AMENDMENT REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "Drug Czar Responsibility and Accountability Act of 1998".

(b) AMENDMENT REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1501 et seq.).

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Overall drug use among children aged 12 to 17 in 1992 was 5.3 percent. In 1996, it was 9 percent, an increase of 70 percent.

(2) Use of any illicit drug among 8th graders in 1992 was 12.9 percent. In 1997, it was 22.1 percent, an increase of 71 percent.

(3) Use of any illicit drug among 10th graders in 1992 was 20.4 percent. In 1997, it was 38.5 percent, an increase of 91 percent.

(4) Use of any illicit drug among 12th graders in 1992 was 27.1 percent. In 1997, it was 42.4 percent, an increase of 56 percent.

(5) Use of marijuana among 8th graders in 1992 was 3.7 percent. In 1997, it was 10.2 percent, an increase of 176 percent.

(6) Use of marijuana among children aged 12 to 17 in 1992 was 3.4 percent. In 1996, it was 7.1 percent, an increase of 109 percent.

(7) Use of cocaine among children aged 12 to 17 in 1992 was 0.3 percent. In 1996, it was 0.6 percent, an increase of 100 percent.

(8) Marijuana-related medical emergencies in 1992 totaled 23,997. In 1996, there were 50,037 such emergencies, an increase of 108 percent.

(9) Cocaine-related medical emergencies in 1992 totaled 119,843. In 1996, there were 144,180 such emergencies, an increase of 20 percent.

(10) Heroin-related medical emergencies in 1992 totaled 48,003. In 1996, there were 70,463 such emergencies, an increase of 47 percent.

SEC. 3. EXPANSION OF RESPONSIBILITIES OF DIRECTOR.

(a) EXPANSION OF RESPONSIBILITIES.—Section 1003(b) (21 U.S.C. 1502(b)) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) establish Federal policies, objectives, goals, priorities, and performance measures (including specific annual agency targets expressed in terms of precise percentages) for the National Drug Control Program and for each National Drug Control Program agency, which shall include targets for reducing the levels of overall unlawful drug use, adolescent unlawful drug use, and drug-related emergency room incidents to January 19, 1993 levels;"

(2) by striking paragraph (3) and inserting the following:

"(3) coordinate, oversee, and evaluate the effectiveness of the implementation of the policies, objectives, goals, performance measures, and priorities established under paragraph (1) and the fulfillment of the responsibilities of the National Drug Control Program agencies under the National Drug Control Strategy;"

(3) in paragraph (5), by inserting "and non-governmental entities involved in demand reduction" after "governments";

(4) in paragraph (7), by striking "and" at the end;

(5) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

"(9) require each National Drug Control Program agency to submit to the Director on a semi-annual basis (beginning with the first 6 months of 1999) an evaluation of progress by the agency with respect to drug control program goals using the performance measures referred to in paragraph (1), including progress with respect to—

"(A) success in reducing domestic and foreign sources of illegal drugs;

"(B) success in protecting the borders of the United States (and in particular the Southwestern border of the United States) from penetration by illegal narcotics;

"(C) success in reducing violent crime associated with drug use in the United States;

"(D) success in reducing the negative health and social consequences of drug use in the United States; and

"(E) implementation of drug treatment and prevention programs in the United States and improvements in the adequacy and effectiveness of such programs;

"(10) submit to Congress on a semiannual basis, not later than 60 days after the date of the last day of the applicable 6-month period, a summary of—

"(A) each evaluation received by the Director under paragraph (9); and

"(B) the progress of each National Drug Control Program agency toward the drug control program goals of the agency using the performance measures described in paragraph (1);

"(11) require the National Drug Control Program agencies to submit to the Director not later than February 1 of each year a detailed accounting of all funds expended by the agencies for National Drug Control Program activities during the previous fiscal

year, and require such accounting to be authenticated by the Inspector General for each agency prior to submission to the Director;

"(12) submit to Congress not later than April 1 of each year the information submitted to the Director under paragraph (11);

"(13) submit to Congress not later than August 1 of each year a report including—

"(A) the budget guidance provided by the Director to each National Drug Control Program agency for the fiscal year in which the report is submitted and for the other fiscal years within the applicable 5-year budget plan relating to such fiscal year; and

"(B) a summary of the request of each National Drug Control Program agency to the Director under this Act (prior to review of the request by the Office of Management and Budget) for the resources required to achieve the targets of the agency under this Act;

"(14) act as a representative of the President before Congress on all aspects of the National Drug Control Program;

"(15) act as the primary spokesperson of the President on drug issues;

"(16) make recommendations to National Drug Control Program agency heads with respect to implementation of Federal counter-drug programs;

"(17) take such actions as necessary to oppose any attempt to legalize the use of a substance (in any form) that—

"(A) is listed in schedule I of section 202 of the Controlled Substances Act (21 U.S.C. 812); and

"(B) has not been approved for use for medical purposes by the Food and Drug Administration; and

"(18) ensure that drug prevention and drug treatment research and information is effectively disseminated by National Drug Control Program agencies to State and local governments and nongovernmental entities involved in demand reduction by—

"(A) encouraging formal consultation between any such agency that conducts or sponsors research, and any such agency that disseminates information in developing research and information product development agendas;

"(B) encouraging such agencies (as appropriate) to develop and implement dissemination plans that specifically target State and local governments and nongovernmental entities involved in demand reduction; and

"(C) developing a single interagency clearinghouse for the dissemination of research and information by such agencies to State and local governments and nongovernmental agencies involved in demand reduction."

#### (b) SURVEY OF DRUG USE.—

(1) IN GENERAL.—The University of Michigan shall not be prohibited under any law from conducting the survey of drug use among young people in the United States known as the Monitoring the Future Survey.

(2) OTHER SURVEYS.—The National Parents' Resource Institute for Drug Education in Atlanta, Georgia, shall not be prohibited under any law from conducting the survey of drug use among young people in the United States known as the National PRIDE Survey.

#### SEC. 4. EXPANSION OF POWERS OF DIRECTOR.

Section 1003(d) (21 U.S.C. 1502(d)) is amended—

(1) in paragraph (9), by striking the period and inserting a semicolon; and

(2) by adding at the end the following:

"(10) require the heads of National Drug Control Program agencies to provide the Director with statistics, studies, reports, and any other information regarding Federal control of drug abuse;

"(11) require the heads of National Drug Control Program agencies to provide the Director with information regarding any posi-

tion (before an individual is nominated for such position) that—

"(A) relates to the National Drug Control Program;

"(B) is at or above the level of Deputy Assistant Secretary; and

"(C) involves responsibility for Federal counternarcotics or antidrug programs; and

"(12) make recommendations to the National Drug Intelligence Center on the specific projects that the Director determines will enhance the effectiveness of implementation of the National Drug Control Strategy."

#### SEC. 5. SUBMISSION OF NATIONAL DRUG CONTROL STRATEGY.

(a) IN GENERAL.—Section 1005(a) (21 U.S.C. 1504(a)) is amended—

(1) in paragraph (2)—

(A) by striking subparagraph (A) and inserting the following:

"(A) include comprehensive, research-based, specific, long-range goals and performance measures (including specific annual targets expressed in terms of precise percentages) for reducing drug abuse and the consequences of drug abuse in the United States;"

(B) in subparagraph (C), by striking "and" at the end;

(C) by striking subparagraph (D);

(D) by adding at the end the following:

"(D) include 4-year projections for National Drug Control Program priorities (including budget priorities); and

"(E) review international, Federal, State, local, and private sector drug control activities to ensure that the United States pursues well-coordinated and effective drug control at all levels of government;"

(2) in paragraph (3)(A), by striking clauses (iv) and (v) and inserting the following:

"(iv) private citizens and organizations with experience and expertise in demand reduction;

"(v) private citizens and organizations with experience and expertise in supply reduction; and

"(vi) appropriate representatives of foreign governments;"

(3) in paragraph (4)—

(A) in subparagraph (B), by striking clauses (i) through (vi) and inserting the following:

"(i) the quantities of cocaine, heroin, marijuana, methamphetamine, ecstasy, and rohypnol available for consumption in the United States;

"(ii) the amount of cocaine, heroin, marijuana, ecstasy, rohypnol, methamphetamine, and precursor chemicals entering the United States;

"(iii) the number of hectares of marijuana, poppy, and coca cultivated and destroyed domestically and in other countries;

"(iv) the number of metric tons of marijuana, cocaine, heroin, and methamphetamine seized;

"(v) the number of cocaine and methamphetamine processing labs destroyed domestically and in other countries;

"(vi) changes in the price and purity of heroin and cocaine, changes in price of methamphetamine, and changes in tetrahydrocannabinol level of marijuana;"

(B) in subparagraph (C), by striking "and" at the end;

(C) in subparagraph (D), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(E) assessment of the cultivation of illegal drugs in the United States;"

(4) in paragraph (5)—

(A) in the matter preceding subparagraph (A), by striking "February 1, 1995" and inserting "February 1, 1999";

(B) in the matter preceding subparagraph (A), by striking "second";

(C) in subparagraph (C), by striking "and" at the end;

(D) in subparagraph (D), by striking the period at the end and inserting "; and"; and

(E) by adding at the end the following:

"(E) a description of the National Drug Control Program performance measures described in subsection (a)(2)(A)."

(b) GOALS AND PERFORMANCE MEASURES FOR NATIONAL DRUG CONTROL STRATEGY.—Section 1005(b) (21 U.S.C. 1504(b)) is amended—

(1) in the heading, by striking ", OBJECTIVES, AND PRIORITIES" and inserting "AND PERFORMANCE MEASURES";

(2) in the matter after the heading, by inserting "(1)" before "Each National Drug Control Strategy";

(3) by redesignating paragraphs (1) through (6) as subparagraphs (A) through (F), respectively;

(4) in subparagraph (A) (as redesignated by paragraph (3)), by striking "and priorities" and inserting "and performance measures";

(5) in subparagraph (C) (as redesignated by paragraph (3)), by striking "3-year projections" and inserting "4-year projections"; and

(6) by adding at the end the following:

"(2) In establishing the performance measures required by this subsection, the Director shall—

"(A) establish performance measures and targets expressed in terms of precise percentages for each National Drug Control Strategy goal and objective;

"(B) revise such performance measures and targets as necessary, and reflect such performance measures and targets in the National Drug Control Program budget submitted to Congress;

"(C) consult with affected National Drug Control Program agencies;

"(D) identify programs and activities of National Drug Control Program agencies that support the goals of the National Drug Control Strategy;

"(E) evaluate in detail the implementation by each National Drug Control Program agency of program activities supporting the National Drug Control Strategy;

"(F) monitor consistency between the drug-related goals of the National Drug Control Program agencies and ensure that drug control agency goals and budgets fully support, and are fully consistent with, the National Drug Control Strategy;

"(G) coordinate the development and implementation of national drug control data collection and reporting systems to support Federal policy formulation and performance measurement;

"(H) ensure that no Federal drug control funds are expended for any study or contract relating to the legalization (for a medical use or any other use) of a substance listed in schedule I of section 202 of the Controlled Substances Act (21 U.S.C. 812); and

"(I) ensure that no Federal funds appropriated for the High Intensity Drug Trafficking Program are expended for the expansion of drug treatment programs."

#### SEC. 6. REPORT ON DESIGNATION OF HIGH INTENSITY DRUG TRAFFICKING AREAS.

Section 1005(c)(3) (21 U.S.C. 1504(c)(3)) is amended to read as follows:

"(3) ANNUAL REPORT.—Not later than March 1 of each year, the Director shall submit to Congress a report—

"(A) on the effectiveness of, and need for, the designation of areas under this subsection as high intensity drug trafficking areas; and

"(B) that includes any recommendations of the Director for legislative action with respect to such designation."

**SEC. 7. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS.**

Section 1011 (21 U.S.C. 1508) is amended by striking "8 succeeding fiscal years" and inserting "10 succeeding fiscal years".

**SEC. 8. REPORT REQUIRED.**

Not later than November 1, 1998, the Director of the Office of National Drug Control Policy shall submit to Congress a report including—

(1) proposed goals, targets, performance measures (as described in section 1003(b)(1) of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1502(b)(1))), and specific initiatives with respect to the National Drug Control Program, including the High Intensity Drug Trafficking Area Program; and

(2) proposals to coordinate the efforts of all National Drug Control Program agencies.

**SEC. 9. CONSISTENCY WITH NATIONAL SECURITY ACT OF 1947.**

Section 1004 (21 U.S.C. 1503) is amended—

(1) in subsection (a)—

(A) by striking "(1)";

(B) by striking "(2)(A)" and inserting "(b) CONSISTENCY WITH NATIONAL SECURITY ACT OF 1947.—(1)";

(C) by striking "(B)" and inserting "(2)"; and

(D) by striking "subparagraph (A)" and inserting "paragraph (1)"; and

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively.

**ADDITIONAL COSPONSORS**

S. 1255

At the request of Mr. COATS, the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of S. 1255, a bill to provide for the establishment of demonstration projects designed to determine the social, civic, psychological, and economic effects of providing to individuals and families with limited means an opportunity to accumulate assets, and to determine the extent to which an asset-based policy may be used to enable individuals and families with limited means to achieve economic self-sufficiency.

S. 1334

At the request of Mr. BOND, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Colorado (Mr. CAMPBELL) were added as cosponsors of S. 1334, a bill to amend title 10, United States Code, to establish a demonstration project to evaluate the feasibility of using the Federal Employees Health Benefits program to ensure the availability of adequate health care for Medicare-eligible beneficiaries under the military health care system.

S. 1360

At the request of Mr. ABRAHAM, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1360, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to clarify and improve the requirements for the development of an automated entry-exit control system, to enhance land border control and enforcement, and for other purposes.

S. 1534

At the request of Mr. TORRICELLI, the name of the Senator from Ohio (Mr.

DEWINE) was added as a cosponsor of S. 1534, a bill to amend the Higher Education Act of 1965 to delay the commencement of the student loan repayment period for certain students called to active duty in the Armed Forces.

S. 1930

At the request of Mr. NICKLES, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 1930, a bill to provide certainty for, reduce administrative and compliance burdens associated with, and streamline and improve the collection of royalties from Federal and outer continental shelf oil and gas leases, and for other purposes.

**SENATE CONCURRENT RESOLUTION 82**

At the request of Mr. WELLSTONE, the names of the Senator from Michigan (Mr. LEVIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from North Carolina (Mr. FAIRCLOTH) were added as cosponsors of Senate Concurrent Resolution 82, a concurrent resolution expressing the sense of Congress concerning the worldwide trafficking of persons, that has a disproportionate impact on women and girls, and is condemned by the international community as a violation of fundamental human rights.

**AMENDMENTS SUBMITTED ON  
APRIL 30, 1998****PROTOCOLS TO THE NORTH ATLANTIC TREATY OF 1949 ON A  
ACCESSION OF POLAND, HUNGARY, AND CZECH REPUBLIC****MOYNIHAN (AND WARNER)  
EXECUTIVE AMENDMENT NO. 2321**

Mr. MOYNIHAN (for himself and Mr. WARNER) proposed an amendment to the resolution of ratification for the treaty (Treaty Doc. No. 105-36) protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols were opened for signature at Brussels on December 16, 1997, and signed on behalf of the United States of America and other parties to the North Atlantic Treaty; as follows:

At the end of section 3 of the resolution (relating to conditions), add the following:

( ) DEFERRAL OF RATIFICATION OF NATO ENLARGEMENT UNTIL ADMISSION OF POLAND, HUNGARY, AND CZECH REPUBLIC TO THE EUROPEAN UNION.—

(A) CERTIFICATION REQUIRED.—Prior to the deposit of the United States instrument of ratification, the President shall certify to the Senate that Poland, Hungary, and the Czech Republic have each acceded to membership in the European Union and have each engaged in initial voting participation in an official action of the European Union.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed as an expression by the Senate of an intent to accept as a new NATO member any country other than Poland, Hungary, or the Czech Republic if that country becomes a member of the European Union after the date of adoption of this resolution.

**WARNER (AND OTHERS)****EXECUTIVE AMENDMENT NO. 2322**

Mr. WARNER (for himself, Mr. MOYNIHAN, Mr. BINGAMAN, Mrs. HUTCHISON, and Mr. DORGAN) proposed an amendment to the resolution of ratification for the treaty (Treaty Doc. No. 105-36) protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols were opened for signature at Brussels on December 16, 1997, and signed on behalf of the United States of America and other parties to the North Atlantic Treaty; as follows:

At the appropriate place in section 2 of the resolution, insert the following:

( ) UNITED STATES POLICY REGARDING FURTHER ENLARGEMENT OF NATO.—Prior to the date of deposit of the United States instrument of ratification, the President shall certify to the Senate that it is the policy of the United States not to encourage, participate in, or agree to any further enlargement of NATO for a period of at least three years beginning on the earliest date by which Poland, Hungary, and the Czech Republic have all acceded to the North Atlantic Treaty.

**HARKIN EXECUTIVE AMENDMENT  
NO. 2323**

(Ordered to lie on the table.)

Mr. HARKIN submitted an amendment intended to be proposed by him to the resolution of ratification for the treaty (Treaty Doc. No. 105-36) protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols were opened for signature at Brussels on December 16, 1997, and signed on behalf of the United States of America and other parties to the North Atlantic Treaty; as follows:

At the end of section 2 of the resolution, insert the following:

( ) COMPATIBILITY OF CERTAIN PROGRAMS WITH OBLIGATIONS UNDER THE NUCLEAR NON-PROLIFERATION TREATY.—The Senate declares that the President, as part of NATO's ongoing Strategic Review, should examine the political and legal compatibility between—

(1) current United States programs involving nuclear weapons cooperation with other NATO members; and

(2) the obligations of the United States and the other NATO members under the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow on July 1, 1968.

**BINGAMAN EXECUTIVE  
AMENDMENT NO. 2324**

Mr. BINGAMAN proposed an amendment to the resolution of ratification for the treaty (Treaty Doc. No. 105-36) protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols were opened for signature at Brussels on December 16, 1997, and signed on behalf of the United States of America and other parties to the North Atlantic Treaty; as follows:

At the appropriate place in section 3 of the resolution, insert the following:

( ) UNITED STATES POLICY LIMITING NATO ENLARGEMENT UNTIL THE STRATEGIC CONCEPT OF NATO IS REVISED.—Prior to the date of deposit of the United States instrument of