

"(D) any person involved in the transaction giving rise to the forfeiture action—

"(i) has been convicted in any Federal, State, or foreign jurisdiction of a drug trafficking offense or a felony involving money laundering; or

"(ii) is a fugitive from prosecution for any offense described in clause (i).

"(4) OTHER PRESUMPTIONS.—The establishment of the presumption in this subsection shall not preclude the development of other judicially created presumptions, or the establishment of probable cause based on criteria other than those set forth in this subsection."

(b) MONEY LAUNDERING FORFEITURES.—Section 981 of title 18, United States Code, is amended by adding at the end the following:

"(k) REBUTTABLE PRESUMPTION.—In any action with respect to the forfeiture of property described in subsection (a)(1)(A), there is a rebuttable presumption that the property is the proceeds of an offense involving the felonious manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in a controlled substance (as defined in section 102 of the Controlled Substances Act), and thus constitutes the proceeds of specified unlawful activity (as defined in section 1956(c)), if any circumstance set forth in subparagraph (A), (B), (C), or (D) section 511(k)(3) of the Controlled Substances Act (21 U.S.C. 881(k)(3)) is present."

FRATERNAL ORDER OF POLICE,
NATIONAL LEGISLATIVE PROGRAM,
Washington, DC, August 6, 1998.

Hon. MAX W. CLELAND,
U.S. Senate, Washington, DC.

DEAR SENATOR CLELAND: I am writing to advise you of the strong support of the more than 272,000 members of the Fraternal Order of Police for your draft legislation, "The Drug Currency Forfeitures Act."

This bill will amend the "Controlled Substances Act" as it relates to the forfeiture of currency deemed to be in connection with illegal drug trafficking or money laundering operations. In order to stem the flow of drugs into the United States, and to reduce the risks to law enforcement officers, government at all levels must have the ability to take away the resources of drug traffickers—whether it is currency, property, or other ill-gotten gains from their illegal narcotics transactions.

One of the most frustrating aspects of law enforcement is seeing those who poison our cities and neighborhoods with the scourge of drugs amass sizable fortunes as a result of their actions. Your legislation addresses this issue by taking money away from those who threaten the lives of our children and our nation's law enforcement officers, and is a major step toward tackling the problems posed by drug traffickers and their considerable financial resources.

Forfeiture of drug money, and the assets of money laundering operations, increases the penalty for drug dealing and reduces the benefits of engaging in illegal drug trafficking. On behalf of the more than 272,000 members of the Fraternal Order of Police, I want to commend and applaud your leadership on this issue. If I can be of any further assistance, please do not hesitate to contact me, or Executive Director Jim Pasco, at my Washington office, (202) 547-8189.

Sincerely,

GILBERT G. GALLEGOS,
National President.

INTERNATIONAL BROTHERHOOD OF
POLICE OFFICERS,
Alexandria, VA, July 13, 1998.

Hon. MAX CLELAND,
U.S. Senate, Washington, DC.

DEAR SENATOR CLELAND: The International Brotherhood of Police Officers (IBPO) is an

affiliate of the Service Employees International Union, the third largest union in the AFL-CIO. The IBPO is the largest police union in the AFL-CIO.

On behalf of the entire membership of the IBPO, I want to thank you for introducing legislation that would create a "rebuttable presumption" that money is subjected to forfeiture as drug proceeds in cases involving drug couriers carrying large amounts of cash through airports and on major highways, and in cases involving international money laundering. The IBPO officially endorses your legislation and looks forward to working with you to see this bill become law.

Your legislation will hurt drug dealers in the most effective way—in the pocketbook. Forfeiture of this money will also benefit the many police departments across the country who supplement their budgets with these types of seizures.

The IBPO wishes to thank you for all your support on behalf of the law enforcement community. Be assured that the IBPO will make your legislation a top priority in the 105th Congress.

Sincerely,

KENNETH T. LYONS,
National President.

COMMENTS OF BOBBY D. MOODY, PRESIDENT OF
THE INTERNATIONAL ASSOCIATION OF CHIEFS
OF POLICE AND CHIEF OF THE MARIETTA,
GEORGIA POLICE DEPARTMENT

One of the most effective weapons that law enforcement has in the domestic drug war is the ability to deprive drug dealers of the proceeds of their illegal activities or the instruments used to commit their crime through the use of civil asset forfeiture proceedings. Senator Cleland's legislation will preserve and enhance law enforcement's ability to seize the assets of drug dealers and their associates. I want to thank my friend, and law enforcement supporter, Senator Cleland for his efforts to protect the most valuable tool law enforcement has in combating drug traffickers and money launderers.

ABOUT THE IACP

Founded in 1893, the International Association of Chiefs of Police is the world's oldest and largest organization of police executives with more than 16,000 members in 102 countries. IACP's Leadership consists of operating chief executives of federal, state, local and international agencies of all sizes.

FEDERAL LAW ENFORCEMENT
OFFICERS ASSOCIATION,

East Northport, NY, August 7, 1998.

Hon. MAX W. CLELAND,
U.S. Senator, Washington, DC.

DEAR SENATOR CLELAND: On behalf of the over 14,000 members of the Federal Law Enforcement Officers Association (FLEOA) I wish to express FLEOA's views regarding your proposed legislation concerning asset forfeiture. This proposed legislation will enhance the ability of law enforcement officers, at all levels, to seize the assets of drug dealer. FLEOA wishes to inform you of our overwhelming support for this legislation.

FLEOA represents criminal investigators and special agents from over fifty-five federal agencies, as listed on the left masthead. We feel that legislation that creates a rebuttable presumption that currency in excess of \$10,000 is subject to forfeiture as drug proceeds when transported through an airport, on a highway, or at a port-of-entry, and is found in close proximity to a measurable quantity of a controlled substance would assist law enforcement in our fight against narcotics.

We would be pleased to meet with you, or your staff, to discuss our views on this issue in more detail. I can be reached at (516) 368-

6117, or you may contact FLEOA's Executive Vice President Walt Wallmark at (202) 433-9230.

Thank you for your time.

RICHARD J. GALLO,
President.●

ADDITIONAL COSPONSORS

S. 358

At the request of Mr. DEWINE, the names of the Senator from Nebraska (Mr. HAGEL), the Senator from North Carolina (Mr. HELMS), and the Senator from Virginia (Mr. ROBB) were added as cosponsors of S. 358, a bill to provide for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products, and for other purposes.

S. 496

At the request of Mr. CHAFEE, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 496, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 1301

At the request of Mr. GRASSLEY, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1301, a bill to amend title 11, United States Code, to provide for consumer bankruptcy protection, and for other purposes.

S. 1329

At the request of Mr. LIEBERMAN, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 1329, a bill to prohibit the taking of certain lands by the United States in trust for economically self-sufficient Indian tribes for commercial and gaming purposes, and for other purposes.

S. 1365

At the request of Ms. MIKULSKI, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1365, a bill to amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds \$1,200, adjusted for inflation.

S. 1380

At the request of Mr. LIEBERMAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1380, a bill to amend the Elementary and Secondary Education Act of 1965 regarding charter schools.

S. 1459

At the request of Mr. GRASSLEY, the names of the Senator from Wisconsin (Mr. KOHL) and the Senator from Arkansas (Mr. BUMPERS) were added as

cosponsors of S. 1459, a bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension of the credit for producing electricity from wind and closed-loop biomass.

S. 1529

At the request of Mr. KENNEDY, the name of the Senator from New York (Mr. D'AMATO) was added as a cosponsor of S. 1529, a bill to enhance Federal enforcement of hate crimes, and for other purposes.

S. 1720

At the request of Mr. HATCH, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1720, a bill to amend title 17, United States Code, to reform the copyright law with respect to satellite retransmissions of broadcast signals, and for other purposes.

S. 1862

At the request of Mr. DEWINE, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1862, A bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 1977

At the request of Mr. D'AMATO, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 1977, a bill to direct the Secretary of Transportation to conduct a study and issue a report on predatory and discriminatory practices of airlines which restrict consumer access to unbiased air transportation passenger service and fare information.

S. 2017

At the request of Mr. D'AMATO, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Iowa (Mr. GRASSLEY), the Senator from Missouri (Mr. BOND), the Senator from North Carolina (Mr. FAIRCLOTH), and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 2017, a bill to amend title XIX of the Social Security Act to provide medical assistance for breast and cervical cancer-related treatment services to certain women screened and found to have breast or cervical cancer under a Federally funded screening program.

S. 2148

At the request of Mr. HATCH, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Utah (Mr. BENNETT), and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 2148, a bill to protect religious liberty.

S. 2181

At the request of Mr. AKAKA, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2181, a bill to amend section 3702 of title 38, United States Code, to make permanent the eligibility of former members of the Selected Reserve for veterans housing loans.

S. 2185

At the request of Mr. KENNEDY, the name of the Senator from New Jersey

(Mr. TORRICELLI) was added as a cosponsor of S. 2185, a bill to protect children from firearms violence.

S. 2201

At the request of Mr. TORRICELLI, the names of the Senator from Texas (Mr. GRAMM), the Senator from Virginia (Mr. ROBB), the Senator from Colorado (Mr. ALLARD), and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 2201, a bill to delay the effective date of the final rule promulgated by the Secretary of Health and Human Services regarding the Organ Procurement and Transplantation Network.

S. 2213

At the request of Mr. FRIST, the name of the Senator from Tennessee (Mr. THOMPSON) was added as a cosponsor of S. 2213, a bill to allow all States to participate in activities under the Education Flexibility Partnership Demonstration Act.

S. 2216

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2216, a bill to amend title XVIII of the Social Security Act to make certain changes related to payments for graduate medical education under the medicare program.

S. 2217

At the request of Mr. FRIST, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Missouri (Mr. ASHCROFT), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 2217, a bill to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes.

S. 2222

At the request of Mr. GRASSLEY, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 2222, a bill to amend title XVIII of the Social Security Act to repeal the financial limitation on rehabilitation services under part B of the Medicare Program.

S. 2259

At the request of Mr. MURKOWSKI, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2259, a bill to amend title XVIII of the Social Security Act to make certain changes related to payments for graduate medical education under the medicare program.

S. 2281

At the request of Mr. DEWINE, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 2281, a bill to amend the Tariff Act of 1930 to eliminate disincentives to fair trade conditions.

S. 2295

At the request of Mr. MCCAIN, the names of the Senator from West Virginia (Mr. BYRD) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 2295, a bill to

amend the Older Americans Act of 1965 to extend the authorizations of appropriations for that Act, and for other purposes.

S. 2364

At the request of Mr. CHAFEE, the names of the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Massachusetts (Mr. KERRY), the Senator from Illinois (Mr. DURBIN), the Senator from South Dakota (Mr. JOHNSON), the Senator from Georgia (Mr. CLELAND), the Senator from Connecticut (Mr. DODD), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from North Carolina (Mr. FAIRCLOTH), the Senator from Minnesota (Mr. WELLSTONE), the Senator from Washington (Mrs. MURRAY), and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of S. 2364, a bill to reauthorize and make reforms to programs authorized by the Public Works and Economic Development Act of 1965.

S. 2403

At the request of Mr. SANTORUM, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Kansas (Mr. BROWNBACK), and the Senator from New Hampshire (Mr. SMITH) were added as cosponsors of S. 2403, a bill to prohibit discrimination against health care entities that refuse to provide, provide coverage for, pay for, or provide referrals for abortions.

S. 2415

At the request of Mr. SANTORUM, the names of the Senator from Mississippi (Mr. COCHRAN), and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of S. 2415, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

S. 2425

At the request of Mr. SESSIONS, the names of the Senator from Michigan (Mr. ABRAHAM) and the Senator from Florida (Mr. MACK) were added as cosponsors of S. 2425, a bill to amend the Internal Revenue Code of 1986 to provide additional tax incentives for education.

SENATE JOINT RESOLUTION 55

At the request of Mr. ROTH, the names of the Senator from Michigan (Mr. ABRAHAM) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of Senate Joint Resolution 55, a joint resolution requesting the President to advance the late Rear Admiral Husband E. Kimmel on the retired list of the Navy to the highest grade held as Commander in Chief, United States Fleet, during World War II, and to advance the late Major General Walter C. Short on the retired list of the Army to the highest grade held as Commanding General, Hawaiian Department, during World War II, as was done under the Officer Personnel Act of 1947 for all other senior officers who served in positions of command during World War II, and for other purposes.

SENATE RESOLUTION 193

At the request of Mr. REID, the name of the Senator from North Carolina

(Mr. HELMS) was added as a cosponsor of Senate Resolution 193, a resolution designating December 13, 1998, as "National Children's Memorial Day."

SENATE RESOLUTION 257

At the request of Mr. MURKOWSKI, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of Senate Resolution 257, a resolution expressing the sense of the Senate that October 15, 1998, should be designated as "National Inhalant Abuse Awareness Day."

SENATE RESOLUTION 272—EXPRESSING THE SENSE OF THE SENATE RECOGNIZING THE DISTINGUISHED SERVICE OF ANGELA RAISH

Mr. DOMENICI (for himself, Mr. BINGAMAN, and Mr. D'AMATO) submitted the following resolution, which was considered and agreed to:

S. RES. 272

Whereas Angela Raish retired from the United States Senate on July 31, 1998, after more than twenty-one years of distinguished service to the United States Senate, Senator Pete V. Domenici, and the people of New Mexico;

Whereas Angela combined exceptional professional and organizational skills, untiring initiative, and unlimited compassion to accomplish both major, and simply thoughtful, tasks for the Senator and his constituents;

Whereas Angela has always generously given of herself out of a genuine love and concern for others, without hesitation or expectation of reward;

Whereas Angela has had an impressive career beginning during World War II in the Navy Department, office of Admiral S. C. Hooper where she developed the professional and personal skills that she refined into her trademark standard of excellence;

Whereas in 1968, Angela worked for President Richard M. Nixon's Inaugural Committee, and in 1972, she served as the Assistant to the Chairman, and received the gavel used to convene the Republican National Convention as a token of appreciation for a job well done from Gerald R. Ford, the Republican National Committee and Republican Convention Chairman;

Whereas Angela's endearing attitude and hard work earned the respect and admiration of Anne Armstrong and the staff at the White House in 1974 and 1975;

Whereas Angela has always balanced her public service with her private life and has been married to the self-described "luckiest man in the Navy," Bob Raish, since February 8, 1947;

Whereas, her colleagues always know they have a devoted friend and confidant;

Whereas Angela is known for her love of Italy, her pride in her ancestral home in Camogli, and her affection for Lake Maggiore;

Whereas Angela is "una donna eccezionale," (an exceptional woman); the Senator's vero "braccio destro" (his right hand helper), and "La Signora Aggiestatutto per gli elettori" (Mrs. Fix-it for constituents);

Whereas Angela is a gracious hostess and accomplished cook who is going to pursue new culinary challenges in her retirement; and

Whereas all those whose lives are richer for having known Angela Raish will miss here deeply and send her warm wishes on her well-deserved retirement: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the achievements of Angela Raish and her more than 21 years of service to the Senate and Senator Domenici be honored and celebrated;

(2) the love and affection that Angela's friends and colleagues share for her be recognized; and

(3) Angela's pride in work and home be recognized as the standard to which all should aspire.

AMENDMENTS SUBMITTED

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

JEFFORDS (AND TORRICELLI) AMENDMENT NO. 3541

Mr. GORTON (for Mr. JEFFORDS, for himself and Mr. TORRICELLI) proposed an amendment to the bill (S. 2337) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1999, and for other purposes; as follows:

At the end of Title I, add the following new section:

"SEC. . Up to \$10 million of funds available in fiscal year 1998 and 1999 shall be available for matching grants, not covering more than 50 percent of the total cost of any acquisition to be made with such funds, to States and local communities for purposes of acquiring lands or interests in lands to preserve and protect Civil War battlefield sites identified in the July 1993 Report on the Nation's Civil War Battlefields prepared by the Civil War Sites Advisory Commission. Lands or interests in lands acquired pursuant to this section shall be subject to the requirements of paragraph 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8(f)(3))."

BOXER AMENDMENT NO. 3542

(Ordered to lie on the table.)

Mrs. BOXER submitted an amendment intended to be proposed by her to the bill, S. 2337, supra; as follows:

On page 75, line 13 and 14, strike "\$165,091,000, to remain available until expended as authorized by law" and insert "\$175,091,000, to remain available until expended, as provided by law, of which \$10,000,000 shall be made available to the Centers for Protection Against Natural Disasters from the Emergency Fire Suppression Account to implement a National Integrated Fire Management System development program under which no State cost-sharing requirement shall apply".

On page 76, line 10, strike "\$587,885,000" and insert "\$577,885,000".

CRAIG AMENDMENT NO. 3543

Mr. GORTON (for Mr. CRAIG) proposed an amendment to the bill, S. 2337, supra; as follows:

On page 134, strike lines 21-25, and insert in lieu thereof the following:

SEC. 333. In the second proviso of section 343 of Public Law 105-83, delete "1999" and insert "2000" in lieu thereof.

ENZI (AND THOMAS) AMENDMENT NO. 3544

Mr. GORTON (for Mr. ENZI, for himself and Mr. THOMAS) proposed an amendment to the bill, S. 2337, supra; as follows:

On page 74, after line 20, add the following:
SEC. . LEASING OF CERTAIN RESERVED MINERAL INTERESTS.

(a) APPLICATION OF MINERAL LEASING ACT.—Notwithstanding section 4 of Public Law 88-608 (78 Stat. 988), the Federal reserved mineral interests in land conveyed under that Act by United States land patents No. 49-71-0059 and No. 49-71-0065 shall be subject to the Act of February 25, 1920 (commonly known as the "Mineral Leasing Act") (30 U.S.C. 181 et seq.).

(b) ENTRY.—

(1) IN GENERAL.—A person that acquires a lease under the Act of February 25, 1920 (30 U.S.C. 181 et seq.) for the interests referred to in subsection (a) may exercise the right of entry that is reserved to the United States and persons authorized by the United States in the patents conveying the land described in subsection (a) by occupying so much of the surface the land as may be required for purposes reasonably incident to the exploration for, and extraction and removal of, the leased minerals.

(2) CONDITION.—A person that exercises a right of entry under paragraph (1), shall, before commencing occupancy—

(A) secure the written consent or waiver of the patentee; or

(B) post a bond or other financial guarantee with the Secretary of the Interior in an amount sufficient to ensure—

(i) the completion of reclamation pursuant to the requirements of the Secretary under the Act of February 25, 1920 (30 U.S.C. 181 et seq.); and

(ii) the payment to the surface owner for—
(I) any damage to a crop or tangible improvement of the surface owner that results from activity under the mineral lease; and

(II) any permanent loss of income to the surface owner due to loss or impairment of grazing use or of other uses of the land by the surface owner at the time of commencement of activity under the mineral lease.

(c) EFFECTIVE DATE.—In the case of the land conveyed by United States patent No. 49-71-0065, this section takes effect January 1, 1997.

GORTON AMENDMENTS NOS. 3545-3551

Mr. GORTON proposed seven amendments to the bill, S. 2337, supra; as follows:

AMENDMENT NO. 3545

On page 134, line 16, insert between the words "burning" and "until" the following "on lands classified in the national forest land management plan as timber base"

On page 134, line 18, insert between the words "remove" and "all" the following: "from the proposed burn area,"

On page 134, line 19, delete the words "from the proposed burn area." and insert the words "that would otherwise be consumed by fire."

AMENDMENT NO. 3546

On page 131, line 12, insert between the words "a" and "system" the following word: "ledger".

On page 131, line 13, delete the word "information".

On page 131, line 19, insert after the word "Appropriations" the following: "and authorizing committees."