

me, was established by the budget resolution. The budget resolution total was far above what I thought was a responsible number.

But now we are saying no, that was not really the limit. When we get to the point that a program is truly deserving, truly popular, truly 5 weeks before an election, then by gosh, we will go even above the budget limit.

Mr. HATFIELD. Mr. President, I yield back the remaining part of my time.

Mr. CHILES. We yield back our time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Oregon.

The amendment (No. 3091) was agreed to.

Mr. HATFIELD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. CHILES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on the substitute.

Mr. CHILES addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. CHILES. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

□ 1630

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BIDEN. Mr. President, I will be happy to yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, as I understand, the distinguished manager on the Democratic side has no objection to the technical amendments.

Mr. BIDEN. No, there is no objection on this side.

Mr. THURMOND. Mr. President, I move the technical amendment be adopted.

The PRESIDING OFFICER. The amendment has not been presented.

AMENDMENT NO. 3092

(Purpose: To make certain technical corrections to sections of H.R. 5484 and appropriate amendments to H.R. 5484, the Anti-Drug Abuse Act of 1986)

Mr. BIDEN. Mr. President, I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the amendment? Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Delaware [Mr. BIDEN], for himself and Mr. THURMOND proposes an amendment numbered 3092.

Mr. BIDEN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

Amendments to title I:

Section 1. Section 1009(b) is amended—

(1) on page 16, line 11, by striking out "Subsection" and inserting "Paragraph" in lieu thereof; and

(2) on page 16, line 13, by striking out the period before the quotation mark and adding a period after the quotation mark.

Sec. 2. Section 1051 is amended—

(1) on page 17, line 19, by striking out "subsection" and inserting in lieu thereof "title or title III";

(2) on page 17, lines 20 and 21, by striking out "this title or title III or under";

(3) on page 17, lines 20 and 21, by striking out "This title or title III or under";

(4) on page 18, line 1, by striking out "subsection" and inserting in lieu thereof "title or title III"; and

(5) on page 18, line 3, by inserting a comma after "State".

Sec. 3. Section 1102 is amended—

(1) on page 19, line 10, by striking out "Except as authorized by this title, it" and inserting in lieu thereof "It";

(2) on page 19, line 15, by inserting "or title III" after "title";

(3) on page 19, line 19, by inserting "or title III" after "title";

(4) on page 19, line 21, by striking out "at least eighteen years of age";

(5) on page 19, line 22, by striking out "section 405B(a)(1) or (2) of this title" and inserting in lieu thereof "subsection (a)";

(6) on page 20, line 2, by striking out "at least eighteen years of age";

(7) on page 20, line 3, by striking out "section 405B(a) (1) or (2) of this title" and inserting in lieu thereof "subsection (a)";

(8) on page 20, line 13, by inserting "a controlled substance or a controlled substance analog" after "distributing"; and

(9) on page 20, lines 24 and 25, by striking out "set out in section 401(b) of this title" and inserting in lieu thereof "applicable".

Sec. 4. Section 1103 is amended on page 21, line 6, by striking out "amended strike" and inserting in lieu thereof "amended by striking".

Sec. 5. Section 1104 is amended—

(1) on page 21, line 16, by inserting "(a)" before "Section 405A";

(2) on page 21, line 17, by striking out "in subsection (a).";

(3) on page 21, line 18, by inserting "wherever it appears" after "distributing";

(4) on page 21, line 19, by inserting "wherever it appears" after "secondary school"; and

(5) on page 21, by inserting the following after line 22:

"(b) Section 405A(a) of the Controlled Substances Act (21 U.S.C. 845a(a)) is amended by striking out 'involving the same controlled substance and schedule'.

"(c) Section 405A(b) of the Controlled Substances Act (21 U.S.C. 845a(b)) is amended by striking out '(1) by' and all that follows through the end and inserting the following in lieu thereof:

'(1) by the greater of (A) a term of imprisonment of not less than three years and not more than life imprisonment or (B) a term of imprisonment of up to three times that authorized by section 401(b) of this title for a first offense, or a fine up to three times that authorized by section 401(b) of this title for a first offense, or both, and (2) at least three times any special parole term authorized by section 401(b) of this title for a first offense.'"

Sec. 6. Section 1202 is amended—

(1) on page 32, line 14, by striking out "internationally" and inserting in lieu thereof "intentionally"; and

(2) on page 32, lines 18 and 22, by inserting "the greater of that authorized in accordance with the provisions of title 18, United States Code, or" after "fined not more than".

Sec. 7. Section 1204(2) is amended by inserting the following at the end thereof, on page 36:

"(g) Sections 924(c)(2) and 929(a)(2) are amended by inserting 'or controlled substance analog' after 'controlled substance'."

Sec. 8. Section 1751(b) is amended on page 92, line 19, by striking out "or" and inserting in lieu thereof "of".

Sec. 9. Title I is amended by striking out section 1872.

Sec. 10. Title I is amended by striking out section 1874.

Sec. 11. Section 1102 is further amended—

(1) on page 19, line 14, by striking out "twenty-one" and inserting in lieu thereof "eighteen";

(2) on page 19, line 17, by striking out "twenty-one" and inserting in lieu thereof "eighteen"; and

(3) on page 20, line 14, by striking out "twenty-one" and inserting in lieu thereof "eighteen".

Sec. 12. Section 1152(a)(6) is amended by amending proposed paragraph (9)(B) of section 524(c) of title 28, United States Code, by inserting "through the Office of Justice Programs," after "Attorney General."

Sec. 13. Section 1552 is amended—

(1) on page 82, line 2, by inserting "through Bureau of Justice Assistance," after "Attorney General"; and

(2) on page 83, by inserting the following after line 19: "This program shall be administered by the Bureau of Justice Assistance pursuant to Part D of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3741-3745), except that the minimum allotment under Part M of the Omnibus Crime Control and Safe Streets Act of 1966, as amended, shall be \$500,000."

Sec. 14. Section 1801 is amended by deleting subsection 1801(b) which appears on lines 4 through 12 of page 98 of the bill as introduced.

Amendments to title III:

Sec. 15. Section 3401(b)(1) is amended—

(1) on page 56, lines 20 and 25, by inserting "or controlled substance analog" after "controlled substance";

(2) on page 57, line 2, by inserting "or controlled substance analog" after "controlled substance";

(3) on page 57, line 6, by striking out "term" and inserting "terms" in lieu thereof;

(4) on page 57, line 7, by striking out "has the meaning given to such term" and inserting in lieu thereof "and 'controlled substance analog' have the meaning given to such terms";

(5) on page 57, line 8, by striking out "(5)"; and

(6) on page 57, line 9, by striking out "(6)".

Amendments to amendments previously adopted:

Sec. 16. Amendment No. 3076 is further amended on page 3, line 24, by striking out "both" and "and outside".

Sec. 17. Amendment No. 3077 is further amended—

(1) on page 1, by striking out the material between the quotation marks on lines 4 through 9 and inserting in lieu thereof the following: "a term of imprisonment up to twice that otherwise authorized, or up to twice the fine otherwise authorized, or both, and at least twice any special parole term

otherwise authorized for a first offense. Except to the extent a greater minimum sentence is otherwise provided, a term of imprisonment under this subsection shall not be less than one year.”;

(2) on page 1, by striking out the material between the quotation marks on lines 13 through 18 and inserting in lieu thereof the following: “a term of imprisonment up to three times that otherwise authorized, or up to three times the fine otherwise authorized, or both, and at least three times any special parole term otherwise authorized for a first offense. Except to the extent a greater minimum sentence is otherwise provided, a term of imprisonment under this subsection shall not be less than one year.”.

(3) by striking out “section 405” on page 1, line 20, and all that follows through “both” on page 2, line 3 and inserting in lieu thereof the following: “Section 405(a) of the Controlled Substances Act (21 U.S.C. 845(a)) is amended by adding the following at the end thereof: ‘Except to the extent a greater minimum sentence is otherwise provided by section 401(b), a term of imprisonment under this subsection shall not be less than one year.’”;

(4) by striking out “Section 405” on page 2, line 5 and all that follows through “both” on page 2, line 10, and inserting in lieu thereof the following: “Section 405(b) of the Controlled Substances Act (21 U.S.C. 845(b)) is amended by adding the following at the end thereof: ‘Except to the extent a greater minimum sentence is otherwise provided by section 401(b), a term of imprisonment under this subsection shall not be less than one year.’”; and

(5) by striking out “Section 405A” on page 2, line 12, and all that follows through “and schedule” on page 2, line 20, and inserting in lieu thereof the following: “Section 405A(a) of the Controlled Substances Act (21 U.S.C. 845A(a)) is amended by adding the following at the end thereof: ‘Except to the extent a greater minimum sentence is otherwise provided by section 401(b), a term of imprisonment under this subsection shall not be less than one year.’”.

SEC. 18. Amendment No. 3066 is further amended by deleting on page 5, lines 1 and 2 after the word “requester” the following: “, or (II) a requester is indigent and can demonstrate a * * *”.

Amend section 2002:

Referring to section 481(h)(1)(A) to read as follows:

“(A) 50 percent of United States assistance allocated for such country notified to Congress in the report required under section 653(a) of this Act shall be withheld from obligation and expenditure;”;

Referring to (h)(2)(A)(ii) to read as follows:

“(ii) for a country that would not otherwise qualify for certification under subclause (i), the vital national interests of the United States require the provision of such assistance, financing, or preferential treatment to such country.”;

Referring to the introductory clause of (h)(5) to read as follows:

“Any country for which the President has not made a certification under paragraph (2) or with respect to which the Congress has enacted a joint resolution disapproving such certification may not receive United States assistance as defined by subsection (1)(4) of this section, the financing described in (1)(B) of this subsection and the preferential tariff treatment described in (1)(C) of this subsection unless—”;

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3092) was agreed to.

Mr. THURMOND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BIDEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, a parliamentary inquiry. Does that include a technical amendment by the distinguished Senator from North Dakota, Senator ANDREWS?

The PRESIDING OFFICER. There is no indication that it does. The Chair is unable to tell.

Mr. DOLE. Mr. President, if I may proceed for 1 minute, there is a technical amendment in the process of being cleared. It has not been cleared thus far. We have a number of Members who are in conferences in about nine other places. I think what we ought to do is to go ahead and vote. That amendment has not been cleared. We have been waiting for 30 or 40 minutes. Perhaps we can take care of it afterward.

□ 1640

AMENDMENT NO. 3093

Mr. DOLE. Mr. President, I send a technical amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection? Without objection, the amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE] proposes an amendment numbered 3093.

Mr. DOLE. I ask unanimous consent that further reading be dispensed with.

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

The amendment is as follows:

Amend section 4218(b) to read as follows: “(b)(1) the Secretary may utilize by agreements, with or without reimbursement, the personnel services and facilities of any Federal, tribal, State, or local government agency to the extent he deems is necessary and appropriate for effective enforcement of any Federal or tribal laws or regulations in Indian country. The Secretary may commission law enforcement personnel of such agencies to exercise such of the authorities set out in subsection (a) of this section as the Secretary deems appropriate. Appropriate representatives of Federal agencies are hereby authorized to enter into and carry out such agreements with the Secretary or with duly authorized tribal officials.

(2) While acting in the capacity of a person commissioned by the Secretary pursuant to this section, any person who is not otherwise a Federal employee, shall be deemed a Federal employee for purposes of—

(A) section 3374(c)(2) of title 5, United States Code, and

(B) sections 111 and 1114 of title 18, United States Code.

(3) For purposes of subchapter III of chapter 81 of title 5, United States Code, an employee of a tribal, State, or local governmental agency shall be considered an eligible officer while acting in the capacity of an officer commissioned pursuant to this subsection.

(4) An agreement under this subsection for the enforcement of Federal laws shall be in accordance with an agreement entered into between the Secretary and the Attorney General of the United States.”

Amend subsection (c) of section 4281 by deleting “The” and inserting in lieu thereof: “After consultation with the Attorney General of the United States, the”.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kansas.

The amendment (No. 3093) was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment.

The substitute amendment (No. 3034), as amended was agreed to.

FIGHTING DRUG ABUSE

Mr. LAUTENBERG. Mr. President, I rise today to express strong support for the Anti-Drug Abuse Act of 1986. The work of the bipartisan group that put this bill together combines the essential elements of bills that have been introduced on both sides of the aisle. I was a cosponsor of the bill drafted by the Senate Democratic Task Force on Narcotics which contained the key elements needed to attack the problem of drug abuse. The bill now before us builds on that effort and will make a major attack on drug abuse in this country.

Drugs are a scourge in our society. They are ruining the lives of too many of our young people. Drugs distort people's values, sap their energies, and steal their futures. The ready availability of drugs on the streets of our cities is a shocking disgrace. The blatant selling and use of illegal drugs in the open is a slap in the face to law-abiding citizens and an open expression of contempt for the majority of our society. And drugs increase the wave of urban crime that plagues residents of all our States.

To fight this scourge, we need to make the costs of drug dealing unacceptable to those who exploit our young in a cynical attempt to profit. Drugs cannot be tolerated. Those who would sell them illegally must be stopped. And those who turn to them, either out of unhappiness or from other causes, must be treated. Our young people, at a very early age, must be taught to say no to drugs.

The Anti-Drug Abuse Act recognizes the need to decrease the demand for drugs. It increases the authorization for treatment and rehabilitation programs. It also establishes a new grant program for education programs. These, and other elements in the bill, will raise the visibility and viability of programs to educate young people to the dangers of drugs and to assist those who wish to free themselves of drugs. This is a crucial aspect of any antidrug fight.

But demand is only half of the equation. Supply must also be addressed. Illegal drugs are big business. An enormous amount of money is to be made in this business, starting with the

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