

committee of the Senate or any subcommittee thereof may meet, without special leave, after the conclusion of the first two hours after the meeting of the Senate commenced and in no case after two o'clock postmeridian unless consent therefor has been obtained from the majority leader and the minority leader (or in the event of the absence of either of such leaders, from his designee). The prohibition contained in the preceding sentence shall not apply to the Committee on Appropriations or the Committee on the Budget. The majority leader or his designee shall announce to the Senate whenever consent has been given under this subparagraph and shall state the time and place of such meeting. The right to make such announcement of consent shall have the same priority as the filing of a cloture motion.

(b) Each meeting of a committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the member of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.

(d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance of any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. When the Chair

finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.

(e) Each committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting or conference whether or not such meeting or any part thereof is closed under this paragraph, unless a majority of its members vote to forgo such a record.

* * * * *

GUIDELINES OF THE SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES WITH RESPECT TO HEARINGS, MARKUP SESSIONS, AND RELATED MATTERS

HEARINGS

Section 133A(a) of the Legislative Reorganization Act requires each committee of the Senate to publicly announced the date, place, and subject matter of any hearing at least one week prior to the commencement of such hearing.

The spirit of this requirement is to assure adequate notice to the public and other Members of the Senate as to the time and subject matter of proposed hearings. In the spirit of section 133A(a) and in order to assure that members of the committee are themselves fully informed and involved in the development of hearings:

1. Public notice of the date, place, and subject matter of each committee or subcommittee hearing should be inserted in the Congressional Record seven days prior to the commencement of such hearing.

2. Seven days prior to public notice of each committee or subcommittee hearing, the committee or subcommittee should provide written notice to each member of the committee of the time, place, and specific subject matter of such hearing, accompanied by a list of those witnesses who have been or are proposed to be invited to appear.

3. The committee and its subcommittee should, to the maximum feasible extent, enforce the provisions of rule 9 of the committee rules as it relates to the submission of written statements of witnesses twenty-four hours in advance of a hearing. When statements are received in advance of a hearing, the committee or subcommittee (as appropriate) should distribute copies of such statements to each of its members.

EXECUTIVE SESSIONS FOR THE PURPOSE OF MARKING UP BILLS

In order to expedite the process of marking up bills and to assist each member of the committee so that there may be full and fair consideration of each bill which the committee or a subcommittee is marking up the following procedures should be followed:

1. Seven days prior to the proposed data for an executive session for the purpose of marking up bills the committee or subcommittee (as appropriate) should provide written notice to each of its members as to the time, place, and specific subject matter of such session, including an agenda listing each bill or other matters to be considered and including:

(a) two copies of each bill, joint resolution, or other legislative matter (or committee print thereof) to be considered at such executive session; and

(b) two copies of a summary of the provisions of each bill, joint resolution, or other legislative matter to be considered at such executive session; and

2. Three days prior to the scheduled date for an executive session for the purpose of marking up bills, the committee or subcommittee (as appropriate) should deliver to each of its members two copies of a cordon print or an equivalent explanation of

changes of existing law proposed to be made by each bill, joint resolution, or other legislative matter to be considered at such executive session.

3. Insofar as practical, prior to the scheduled date for an executive session for the purpose of marking up bills, each member of the committee or a subcommittee (as appropriate) should provide to all other such members two written copies of any amendment or a description of any amendment which that member proposes to offer to each bill, joint resolution, or other legislative matter to be considered at such executive session.

4. Insofar as practical, prior to the scheduled date for an executive session for the purpose of marking up bills, the committee or a subcommittee (as appropriate) should provide each member with a copy of the printed record or a summary of any hearings conducted by the committee or a subcommittee with respect to each bill, joint resolution, or other legislative matter to be considered at such executive session.

COMMITTEE REPORTS, PUBLICATIONS, AND RELATED DOCUMENTS

Rule 16 of the committee rules requires that the minority be given an opportunity to examine the proposed text of committee reports prior to their filing and that the majority be given an opportunity to examine the proposed text of supplemental, minority, or additional views prior to their filing. The views of all members of the committee should be taken fully and fairly into account with respect to all official documents filed or published by the committee. Thus, consistent with the spirit of rule 16, the proposed text of each committee report, hearing record, and other related committee document or publication should be provided to the chairman and ranking minority member of the committee and the chairman and ranking minority member of the appropriate subcommittee at least forty-eight hours prior to its filing or publication.●

IT'S DRUGS, STUPID

● Mr. SIMON. Mr. President, one of the finest public servants in my years in Congress was Joseph Califano, who headed what was then known as Health, Education and Welfare for President Carter. He wrote a story in the Sunday New York Times on the drug problem that makes eminent good sense.

Recently, the Chicago Sun-Times had a front-page story saying that 95 percent of those who apply for drug treatment are being turned down. I visited Cook County jail with 9,000 inmates. In a minimum security barracks, with about 45 men sleeping on cots, one of the prisoners told me he wanted to get into drug treatment. I turned to the assistant warden who was with me and asked why he could not get in, and the warden said they had only 120 spots for drug treatment for 9,000 prisoners. I turned to the rest of the men and asked how many of them would like to get into drug treatment and about 30 raised their hands.

Our failure to provide drug treatment for people who need it is short-sighted. We demagog on the crime issue and pretend we are really doing something when we create 60 new causes for capital punishment and set more mandatory minimums. The reality is, we are

doing nothing through those things to reduce the crime rate.

Senator KENNEDY uses the figure that 75 percent of those who do receive drug treatment while in prison do not come back, and 75 percent of those who do not, do come back. I don't know if those statistics are precisely accurate, but the general principle is clearly accurate. I am grateful to Joe Califano for providing sensible leadership once more.

At this point, I ask that his statement be printed in the RECORD.

The statement follows:

[From the New York Times, Jan. 29, 1995]

IT'S DRUGS, STUPID
(By Joseph Califano)

Despite all the Republican preening and Democratic pouting since Nov. 8, neither political party gets it. If Speaker Newt Gingrich is serious about delivering results from his party's "Contract With America" and if President Clinton means to revive his Presidency, each can start by recognizing how fundamentally drugs have changed society's problems and that together they can transform Government's response.

For 30 years, America has tried to curb crime with more judges, tougher punishments and bigger prisons. We have tried to rein in health costs by manipulating payments to doctors and hospitals. We've fought poverty with welfare systems that offer little incentive to work. All the while, we have undermined these efforts with our personal and national denial about the sinister dimension drug abuse and addiction have added to our society. If Gingrich and Clinton want to prove to us that they can make a difference in what really ails America, they should "get real" about how drugs have recast three of the nation's biggest challenges.

Law, Order and Justice—In 1960 there were fewer than 30,000 arrests for drug offenses; in 30 years, that number soared beyond one million. Since 1989, more individuals have been incarcerated for drug offenses than for all violent crimes—and most violent crimes are committed by drug (including alcohol) abusers.

Probation and parole are sick jokes in most cities. As essential first steps to rehabilitation, many parolees need drug treatment and after-care, which means far more monitoring than their drug-free predecessors of a generation ago required, not less. Yet in Los Angeles, for example, probation officers are expected to handle as many as 1,000 cases at a time. With most offenders committing drug- or alcohol-related crimes, it's no wonder so many parolees go right back to jail: 80 percent of prisoners have prior convictions and more than 60 percent have served time before.

Congress and state legislatures keep passing laws more relevant to the celluloid gangsters and inmates of classic 1930's movies than 1990's reality. Today's prisons are wall to wall with drug dealers, addicts, alcohol abusers and the mentally ill (often related to drug abuse). The prison population shot past a million in 1994 and is likely to double soon after the year 2000. Among industrialized nations, the United States is second only to Russia in the number of its citizens it imprisons: 519 per 100,000, compared with 368 for next-place South Africa, 116 for Canada and 36 for Japan.

Judges and prosecutors are demoralized as they juggle caseloads of more than twice the recommended maximum. In 1991 eight states had to close their civil jury trial systems for all or part of the year to comply with speedy trial requirements of criminal cases involving drug abusers. Even where civil courts re-

main open, the rush of drug-related cases has created intolerable delays—4 years in Newark, 5 in Philadelphia and up to 10 in Cook County, Ill. In our impersonal, bureaucratic world, if society keeps denying citizens timely, individual hearings for their grievances, they may blow off angry steam in destructive ways.

Health Care Cost Containment.—Emergency rooms from Boston to Baton Rouge are piled high with the debris of drug use on city streets—victims of gunshot wounds, drug-promoted child and spouse abuse, and drug-related medical conditions like cardiac complications and sexually transmitted diseases. AIDS and tuberculosis have spread rapidly in large part because of drug use. Beyond dirty needles, studies show that teenagers high on pot, alcohol or other drugs are far more likely to have sex, and to have it without a condom.

Each year drugs and alcohol trigger up to \$75 billion in health care costs. The cruelest impact afflicts the half-million newborns exposed to drugs during pregnancy. Crack babies, a rarity a decade ago, crowd \$2,000-a-day neonatal wards. Many die. It can cost \$1 million to bring each survivor to adulthood.

Even where prenatal care is available—as it is for most Medicaid beneficiaries—women on drugs tend not to take advantage of it. And as for drug treatment, only a relatively small percentage of drug-abusing pregnant mothers seek it, and they must often wait in line for scarce slots. Pregnant mothers' failure to seek prenatal care and stop abusing drugs accounts for much of the almost \$3 billion that Medicaid spent in 1994 on inpatient hospital care related to drug use.

The Fight Against Poverty.—Drugs have changed the nature of poverty. Nowhere is this more glaring than in the welfare systems and the persistent problem of teen-age pregnancy.

Speaker Gingrich and President Clinton are hell-bent to put welfare mothers to work. But all the financial lures and prods and all the job training in the world will do precious little to make employable the hundreds of thousands of welfare recipients who are addicts and abusers.

For too long, reformers have had their heads in the sand about this unpleasant reality. Liberals fear that admitting the extent of alcohol and drug abuse among welfare recipients will incite even more punitive reactions than those now fashionable. Conservatives don't want to face up to the cost of drug treatment. This political denial assures failure of any effort to put these welfare recipients to work.

The future is not legalization. Legalizing drug use would write off millions of minority Americans, especially children and drug-exposed babies, whose communities are most under siege by drugs. It has not worked in any nation where it's been tried, and our own experience with alcohol and cigarettes shows how unlikely we are to keep legalized drugs away from children.

Drugs are the greatest threat to family stability, decent housing, public schools and even minimal social amenities in urban ghettos. Contrary to the claim of pot proponents, marijuana is dangerous. It devastates short-term memory and the ability to concentrate precisely when our children need them most—when they are in school. And a child 12 to 17 years old who smokes pot is 85 times as likely to use cocaine as a child who does not. Cocaine is much more addictive than alcohol, which has already hooked more than 18 million Americans. Dr. Herbert D. Kleber, a top drug expert, estimates that legalizing cocaine would give us at least 20 million addicts, more than 10 times the number today.

It's especially reckless to promote legalization when we have not committed re-

search funds and energies to addiction prevention and treatment on a scale commensurate with the epidemic. The National Institutes of Health spend some \$4 billion for research on cancer, cardiovascular disease and AIDS, but less than 15 percent of that amount for research on substance abuse and addiction, the largest single cause and exacerbator of those diseases.

Treatment varies widely, from inpatient to outpatient, from quick-fix acupuncture to residential programs ranging a few weeks to more than a year, from methadone dependence to drug-free therapeutic communities. Fewer than 25 percent of the individuals who need drug or alcohol treatment enter a program. On average, a quarter complete treatment; half of them are drug- or alcohol-free a year later. In other words, with wide variations depending on individual circumstances, those entering programs have a one-in-eight chance of being free of drugs or alcohol a year later. Those odds beat many for long-shot cancer chemotherapies, and research should significantly improve them. But a recent study in California found that even at current rates of success, \$1 invested in treatment saves \$7 in crime, health care and welfare costs.

Here are a few suggestions for immediate action to attack the dimension drugs have added to these three problems:

Grant Federal funds to state and Federal prison systems only if they provide drug and alcohol treatment and after-care for all inmates who need it.

Instead of across-the-board mandatory sentences, keep inmates with drug and alcohol problems in jails, boot camps or halfway houses until they experience a year of sobriety after treatment.

Require drug and alcohol addicts to go regularly to treatment and after-care programs like Alcoholics Anonymous while on parole or probation.

Provide Federal funds for police only to cities that enforce drug laws throughout their jurisdiction. End the acceptance of drug bazaars in Harlem and southeast Washington that would not be tolerated on Manhattan's Upper East Side or in Georgetown.

Encourage judges with lots of drug cases to employ public health professionals, just as they hire economists to assist with antitrust cases.

Cut off welfare payments to drug addicts and alcoholics who refuse to seek treatment and pursue after-care. As employers and health professionals know, addicts need lots of carrots and sticks, including the treat of loss of job and income, to get the monkey off their back.

Put children of drug- or alcohol-addicted welfare mothers who refuse treatment into foster care or orphanages. Speaker Gingrich and First Lady Hillary Rodham Clinton have done the nation a disservice by playing all-or-nothing politics with this issue. The compassionate and cost-effective middle ground is to identify those parents who abuse their children by their own drug and alcohol abuse and place those children in decent orphanages and foster care until the parents shape up.

Subject inmates, parolees and welfare recipients with a history of substance abuse to random drug tests, and fund the treatment they need. Liberals must recognize that getting off drugs is the only chance these individuals (and their babies) have to enjoy their civil rights. Conservatives who preach an end to criminal recidivism and welfare dependency must recognize that reincarceration and removal from the welfare rolls for those who test positive is a cruel Catch-22 unless treatment is available.

Fortunately, the new Congress and the new Clinton are certain not to legalize drugs. Unfortunately, it is less clear whether they will recognize the nasty new stain of intractability that drugs have added to crime, health costs and welfare dependency, and go on to tap the potential of research, prevention and treatment to save billions of dollars and millions of lives.

If a mainstream disease like diabetes or cancer affected as many individuals and families as drug and alcohol abuse and addiction do, this nation would mount an effort on the scale of the Manhattan Project to deal with it.●

AMERICA'S GOLD-STAR MOM: ROSE

● Mr. SIMON. Mr. President, I am asking that a column written by Steve Neal, in tribute to the mother of our colleague, EDWARD KENNEDY, be placed into the RECORD.

It is a great tribute to Mrs. Kennedy.

I did not have the privilege of knowing her well, but I wish I had.

In addition to what is said in the Steve Neal column, I believe it is not an exaggeration to say that no mother has contributed as much to the Nation in our 206 year history as Rose Kennedy.

Her life was a story of tragedy and triumph and a brilliant spirit, despite all the tragedies. The remarkable contributions that TED KENNEDY makes to this body and to the Nation are one of many tributes to Rose Kennedy.

At this point, I ask that the Steven Neal column be printed in the RECORD.

The column follows:

[From the Sun-Times, Jan. 24, 1995]

AMERICA'S GOLD-STAR MOM: ROSE
(By Steve Neal)

Rose Fitzgerald Kennedy had style. She spoke on her son's behalf at a Veterans of Foreign Wars hall in Brighton, Mass. It was John F. Kennedy's first campaign. He was running for Congress in 1946. Mrs. Kennedy, who had lost her eldest son Joseph in World War II and had nearly lost another, didn't talk about her family's tragedy. She dazzled the crowd with her wit. As the daughter of a former Boston mayor, Rose Kennedy was a political natural. When she finished her talk at the VFW hall, Mrs. Kennedy got a rousing ovation. Then she introduced the young JFK.

Dave Powers, JFK's war buddy, recalled that Kennedy was "slightly over-whelmed that his mother could talk that well to an audience." As Mrs. Kennedy made her exit, her son stopped her and said, "Mother, they really love you."

So did the world.

Rose Elizabeth Fitzgerald Kennedy, who died Sunday at 104, was America's gold-star mother and one of the more extraordinary women of the 20th century. She taught JFK how to give a political speech and how to work a crowd. He couldn't have had a better teacher.

Three of her sons were elected to the U.S. Senate and her son John won the presidency of the United States. She took pride in their accomplishments.

"As Jack's mother, I am confident that Jack will win because his father says so, and through the years I have seen his predictions and judgments vindicated almost without exception," Mrs. Kennedy wrote in her diary in June, 1960. "And so, I believe it. He also says, and has said all along, that if Jack gets the nomination he can beat Nixon."

Mrs. Kennedy had a long memory. "We are all furious at Governor [Pat] Brown of California and Governor [David] Lawrence of Pennsylvania because they will not come out for Jack now. Their support would clinch the nomination for him. Joe has worked on Lawrence all winter but he still can't believe a Catholic can be elected."

Mrs. Kennedy wrote of JFK's first debate: "I watched Jack last night on the debate, praying through every sentence, as I had prayed during the day. He looked more assured than Nixon and looked better physically. Jack seemed to have the initiative and once or twice rose to inspiring heights of oratory." But she noted that he could improve: "People think that Jack speaks too fast. I agree and have already told him."

Four of her children had tragic deaths. She said that the wounds of those tragedies never healed. But her courage and faith kept her going. "One of the best ways to assuage grief is to find a way to turn some part of the loss to a positive, affirmative use for the benefit of other people," Mrs. Kennedy wrote in her memoirs. "I do believe that God blesses us for that and the burden is lightened."●

ANGUISH IN RWANDA

● Mr. SIMON. Mr. President, recently, the Washington Post had an interesting editorial titled, "Anguish in Rwanda."

It speaks of the need for the United Nations to have a few troops, to give some stability to a nation that is teetering on the edge of instability. Perhaps even that is a too favorable description of the situation.

I introduced legislation in the last session, which I will be reintroducing this session, to authorize the United States to have up to 3,000 troops that would be available to the United Nations for their efforts, subject to the approval of the President of the United States. We should call on other nations to do the same.

The great threat to U.S. security and the security of other nations today is instability. By having a small force, a group of volunteers from within our Armed Forces available, we could do much to provide stability in places like Rwanda.

I ask that the Post editorial be printed in the RECORD.

The editorial follows:

[From the Washington Post, Jan. 25, 1995]

ANGUISH IN RWANDA

To protect a million-plus Rwandan refugees in Zaire, the United Nations appealed to 60 nations for peace-keepers. All 60 said no. The secretary general then asked for a few dozen U.N. officers to support soldiers from Zaire. Again the answer was no. Falling back, U.N. Secretary General Boutros Boutros-Ghali now simply asks the Security Council to make available some Zairian troops assisted by civilian refugee officials. The prospects are uncertain.

In the camps there is no uncertainty, only desperation. The Hutus who perpetrated genocide in Rwanda last spring lost to the Tutsi-minority rebels and then carried many of their people, with their supporting community structures, into exile in Zaire. The international relief agencies found these structures essential to funnel in quick aid. But that gave new power and coin to the old Hutu hierarchy, including war criminals, who steal the aid and keep refugees from going home. A moral dilemma has split the agencies: Stay and sustain a regime of kill-

ers, or leave and let suffering refugees suffer more. This is the context in which the United Nations seeks to build an alternative security structure.

Last year's television pictures of the genocide publicized the need for emergency supplies, and many responded. But the humanitarian needs of the camps merge into an obscure zone of political struggle, and many lose interest. Dozens of countries were ready to send material aid. None is ready to expose its soldiers to risk for the Hutus. Nor is the problem confined to Rwanda. Its descent to a hollowed-out chaos where it can no longer order its own affairs is typical of the ethnic and national disputes that now disfigure world politics. Expect more in humanitarian crises, the CIA warned last month, and less in international relief.

So many things remain to be done. Right at the top ought to be the establishment of a standby humanitarian food-and-police service, run out of the Security Council, where the United States has a veto, so that when the next quaking call comes, the secretary general does not have to run around begging 60 distracted countries to help in vain.●

GOOD MORNING, VIETNAM

● Mr. SIMON. Mr. President, a few weeks ago, Senator FRANK MURKOWSKI and I had the chance to visit Vietnam. And shortly after we got back, I read the column by Tom Friedman in the New York Times about Vietnam, which makes so much sense.

We are now inching toward full diplomatic relations that should have occurred years ago. Sixteen years ago I had lunch with the Vietnamese delegation at the United Nations and urged full diplomatic recognition at that time. We should do it now—the sooner, the better.

I ask that the Tom Friedman column be printed in the RECORD.

The column follows:

[From the New York Times, Jan. 18, 1995]

GOOD MORNING, VIETNAM
(By Thomas L. Friedman)

HANOI, VIETNAM.—In 1966, at the height of the Vietnam War, Senator George Aiken became famous for suggesting that we simply declare victory and bring American troops home. That victory was phony, but 29 years later we truly have one in Vietnam, if winning is measured by a Vietnam that is economically, politically and strategically pro-Western. Yet despite that victory, Washington is reluctant to open full diplomatic relations with Hanoi and consolidate its tentative move into America's orbit. It's time. It's time we started relating to Vietnam as a country, not a conflict. It's time that we declare victory and go back to Vietnam to reap it.

President Bush should have been the one to open relations. He knew it was the right thing to do, and he had the credibility with veterans' groups to do it. But he didn't. (Wouldn't be prudent.) President Clinton, despite his problems with Vietnam vets, has inched closer to Hanoi, by lifting economic sanctions last year and agreeing to a low-level liaison office this year. For months the State Department has been quietly recommending full normalization, but after the midterm Republican rout the White House said "Forget it." (Wouldn't be prudent.) That is America's loss.