

American soldiers to be used as bargaining chips; and

"Whereas, for two decades, the government of the SRV has been and is still less than forthright about the fate of American POWs and MIAs; and

"Whereas, the Government of the United States should require specific improvements of human rights and civil rights by the Vietnamese government as conditions in all business, investment, aid, and diplomatic discussions with Vietnam; and

"Whereas, the government of Vietnam has reacted to the United States decision to normalize diplomatic relations with a refusal to institute democratic reforms and a rejection of calls for an end to human rights violations; and

"Whereas, April 30, 1995, marked the 20th anniversary of the fall of Saigon to the Communist government of North Vietnam: Now, therefore, be it

*"Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature hereby declares its support for the struggle of the Vietnamese people for freedom and democracy, calls for an end to political oppression and for respect of human and civil rights in Vietnam, and urges the Government of the United States to use its new diplomatic relations with Vietnam to insist on democratic political reforms, an end to human rights violations, and a full accounting of American POWs and MIAs and to make the extension of Most Favored Nation status, contingent upon (1) the unconditional release of all political and religious prisoners in Vietnam, (2) the immediate cessation of punishment of critics through detention without trial, (3) the abolition of all political prisons and reeducation camps throughout the country, (4) the elimination of all regulations, codes, and constitutional provisions prohibiting organized opposition activity that are commonly used to repress peaceful expression of dissent, (5) a formal commitment by the leaders of the Communist Party of Vietnam to create a pluralistic and democratic environment, with free and open national elections under international supervision, so that the citizens of Vietnam may determine the future leadership and orientation of their government, (6) the immediate and unconditional return of the remains of all United States soldiers still in the possession of the government of the SRV, and (7) full and forthright cooperation in resolving the fate of all American POWs and MIAs in Southeast Asia; and be it further

*"Resolved,* That corporations doing business with Vietnam are encouraged to seek improvement in labor practices, as well as human rights and civil rights in all business negotiations and transactions; and be it further

*"Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-520. A joint resolution adopted by the Legislature of the State of Maine; to the Committee on Foreign Relations.

H.P. 1273

"Whereas, the United States of America has had a long and friendly relationship with the Government of the Republic of China on Taiwan; and

"Whereas, in recent years the Republic of China on Taiwan has established a multiparty, democratic political system dedicated to human rights and the pursuit of freedom; and

"Whereas, commercial interaction with the Republic of China on Taiwan has grown substantially in recent years; and

"Whereas, the Republic of China on Taiwan is a major trading partner of the United States and has a strong, free-market economy with the largest foreign reserves of any nation in the world; and

"Whereas, the role of the Republic of China on Taiwan in international development programs and humanitarian relief operations has significantly expanded during the past decade; and

"Whereas, the return of the Republic of China on Taiwan to the family of nations through membership in the United Nations will help to strengthen mutual cooperation and the bonds of friendship between our nations: Now, therefore be it

*"Resolved,* That We, your Memorialists, respectfully request the President and the Congress of the United States to encourage and support full participation by the Republic of China on Taiwan in the United Nations; and be it further

*"Resolved,* That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Member of the Maine Congressional Delegation."

POM-521. A joint resolution adopted by the Legislature of the State of Alaska; to the Committee on Governmental Affairs.

LEGISLATIVE RESOLVE NO. 31

"Whereas there is continuing controversy concerning Americans who were listed as prisoners of war (POW) or missing in action (MIA) while serving in the Southeast Asian nations of Vietnam, Laos, Kampuchea (formerly Cambodia); and

"Whereas the United States government has stated that all of our POW's have been returned; and

"Whereas a top secret Vietnamese report dating from 1972 by General Tran Von Kwang, Deputy Chief of Staff for the North Vietnamese Army, reported that in September of 1972 Hanoi held 1,205 American prisoners; and

"Whereas only 591 American POWs have been released under the 1973 Peace Settlement, which means that, based on General Kwang's own report, at least 614 POWs were not returned or accounted for; and

"Whereas Vietnamese nationals who have moved to the United States have reported the appearance of American prisoners still being held in Southeast Asia; and intelligence agencies, and the governments of Vietnam, Laos, Kampuchea, Russia, North Korea, and China be ordered to turn over all documents concerning Americans listed as POWs or MIAs as a result of the Vietnam War; and be it further

*"Resolved,* That the lawsuit is not intended to solicit a ruling or an opinion definitively declaring the POW/MIA issue moot, but rather it is intended to seek a mandate that all documents and other information concerning POWs and MIAs be released to the public so that the fate or location of all members of the service who were POWs or MIAs may be proven beyond a reasonable doubt; and be it further

*"Resolved,* That the Alaska State Legislature respectfully requests the other 49 states of the United States to join in this action on behalf of their citizens being held in captivity as a result of the war in Southeast Asia."

POM-522. A joint resolution adopted by the Legislature of the State of Washington; to the Committee on Indian Affairs.

"SENATE JOINT MEMORIAL NO. 8028

"Whereas, the Indian Gaming Regulatory Act of 1988 was passed by Congress to protect

tribal and state interests as they pertain to gambling; and

"Whereas, the primary intent of Congress was to allow for tribal economic development and self-sufficiency consistent with the state's public policy as it pertains to gambling; and

"Whereas, the conduct of Class III gaming within the state's boundaries is subject to the completion of a tribal-state compact; and

"Whereas, only the gambling activities authorized for any person, organization, or entity for any purpose in accordance with state law, should be the subject matter of any negotiation; and

"Whereas, some courts recognize states' interests in limiting the scope of gambling; other courts have failed to give adequate weight to state limitations on gambling within a state's borders; and

"Whereas, the public policy of the state of Washington, as expressed by the Legislature in 1994, is to limit the nature and scope of gambling activities through strict regulation and control; and

"Whereas, Washington state has been unable to carry out its public policy on gambling due to some courts' decisions not allowing the state to set reasonable limitations on gambling; and

"Whereas, because Washington has been limited by court decisions to fulfill its public policy goal an unfair situation and an economic hardship has occurred for operators of non-Indian gambling establishments, which are licensed and regulated by the state;

"Whereas, nationally there has been much disagreement between tribes and states as to the scope of gaming subject to negotiation under the Indian Gaming Regulatory Act of 1988: Now, therefore, Your Memorialists respectfully request:

"(1) Congress implement sufficient clarification of the Indian Gaming Regulatory Act of 1988 to ensure that only those specific gambling activities currently authorized under the laws of a particular state are subject to negotiation between a tribal government and a state government and that the clarification ensure that no state is required to negotiate on any specific type of gambling activity that is not either authorized, or played, or both, within a state's particular boundaries;

"(2) Congress additionally clarify the Indian Gaming Act to recognize that non-Indian gambling is important to the economic well-being of states and that a balance needs to be achieved between Indian and non-Indian gambling activities, be it

*"Resolved,* That copies of this Memorial be immediately transmitted to the Honorable William J. Clinton, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington."

## 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:

By Mr. DORGAN:

S. 1642. A bill to amend the Social Security Act to deny cash benefits to drug addicts and alcoholics, and for other purposes; to the Committee on Finance.

By Mr. GREGG (for himself and Mrs. KASSEBAUM):

S. 1643. A bill to amend the Older Americans Act of 1965 to authorize appropriations

for fiscal years 1997 through 2001, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. BROWN (for himself, Mr. SIMON, Mr. GRASSLEY, and Mr. BAUCUS):

S. 1644. A bill to authorize the extension of nondiscriminatory treatment (most-favored-nation) to the products of Romania; to the Committee on Finance.

By Mr. KERRY (for himself and Mr. HOLLINGS):

S. 1645. A bill to regulate United States scientific and tourist activities in Antarctica, to conserve Antarctic resources, and for other purposes; to the Committee on Commerce, Science, and Transportation.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DORGAN:

S. 1642. A bill to amend the Social Security Act to deny cash benefits to drug addicts and alcoholics, and for other purposes; to the Committee on Finance.

THE SOCIAL SECURITY ACT AMENDMENT ACT OF 1996

• Mr. DORGAN. Madam President, today, I introduce legislation for which there is broad bipartisan support. Many of my colleagues share my concern about monthly cash payments provided through the Supplemental Security Income [SSI] and Social Security Disability Insurance [SSDI] programs to people who are considered disabled solely because they are drug addicts and alcoholics. My bill would terminate cash benefits for these recipients of SSI and SSDI, and would instead provide treatment for their addictions.

SSI was established in 1972 to provide cash benefits to needy disabled persons with limited resources. Most Americans would be surprised to learn that drug addiction and alcoholism can qualify a person to receive monthly cash benefits under this program.

In fact, 135,000 people receive monthly SSI payments because they are alcoholics or drug addicts—148 of them in my own State of North Dakota. And this number is growing at a shocking pace.

The number of addicts receiving monthly SSI benefits quadrupled in the last 4 years. Over 10 years, the percentage of SSI recipients who receive payments because of an addiction to drugs or alcohol increased from 0.3 percent of the caseload to more than 2 percent of the total caseload today—for an annual cost to taxpayers of about \$630 million.

To most Americans, this policy is wrong-headed. Substance abusers need treatment, not cash handouts from the Federal Government. The bill I am introducing today would address this problem by ending SSI and SSDI cash benefits for those for whom substance abuse is a material factor in their disability. Instead, drug addicts and alcoholics would be provided with access to quality treatment for their diseases.

There is broad consensus that we must end cash benefits for substance abusers. The House and Senate voted

to terminate SSI and SSDI for drug addicts and alcoholics when welfare reform legislation was considered. These provisions have now been attached to legislation to raise the Social Security earnings limit, which will soon be considered by the Senate.

My bill is different from these proposals, however, because my bill would retain Medicaid eligibility and provide access to treatment for drug addicts and alcoholics.

Under the current system, recipients are required to participate in treatment programs if they are available. However, quality programs often are not available or are not easily accessible to SSI and SSDI recipients. To make matters worse, the inspector general at the Department of Health and Human Services recently reported that the Social Security Administration does not know the treatment status of most SSI recipients and does not provide monitoring of the program.

Access to quality treatment for drug addiction is not only an effective way to truly help chemically dependent Americans—it is also cost-effective. Experts testifying before the House Ways and Means Subcommittee on Human Resources recently pointed out that every dollar invested in treatment produced between \$3 and \$76 in health- and criminal justice related savings.

These provisions of my bill ensure that people whose primary disability is alcoholism or drug addiction will receive treatment instead of cash benefits to address their disability. In addition, my bill helps to ensure that people who have other disabilities but who also have a chemical addiction will use cash benefits in a way that is beneficial for their well-being.

Under current law, SSI and SSDI cash payments to recipients whose principal disability is a chemical addiction are distributed through a representative payee, rather than directly to the recipient. This is intended to ensure that payments are used for the benefit of the recipient, rather than to further his or her disability. My bill extends that safeguard to any SSI or SSDI recipient who is chemically dependent if the recipient is incapable of managing his or her own benefits.

I hope my colleagues will join me in cosponsoring this legislation so that we can underscore the importance of this issue. Cash assistance will not help alcoholics and drug addicts overcome their diseases, but quality treatment and medical care will.

I ask unanimous consent that the entire 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. 1642

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

#### SECTION 1. DENIAL OF CASH BENEFITS TO DRUG ADDICTS AND ALCOHOLICS.

(a) AMENDMENTS RELATING TO TITLE II DISABILITY BENEFITS.—

(1) IN GENERAL.—Section 225(c) of the Social Security Act (42 U.S.C. 425(c)) is amended—

(A) by striking “(c)(1)(A)” and inserting “(2)(A)”;

(B) by striking paragraph (7) and by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively; and

(C) by inserting before paragraph (2) as redesignated by subparagraph (A) the following new paragraph:

“(c)(1) No cash benefits shall be payable under this title to any individual who is otherwise entitled to benefits under this title based on disability, if such individual’s alcoholism or drug addiction is a contributing factor material to the Commissioner’s determination that such individual is disabled.”.

(2) TREATMENT REQUIREMENTS.—

(A) Section 225(c)(2)(A) of such Act (42 U.S.C. 425(c)(2)(A)), as redesignated by paragraph (1), is amended to read as follows:

“(2)(A)(i) Any individual who would be entitled to cash benefits under this title but for the application of paragraph (1) may elect to comply with the provisions of this subsection.

“(ii) Any individual who is entitled to cash benefits under this title by reason of disability (or whose entitlement to such benefits is suspended), and who was entitled to such benefits by reason of disability, for which such individual’s alcoholism or drug addiction was a contributing factor material to the Commissioner’s determination that such individual was disabled, for the month preceding the month in which this paragraph takes effect, shall be required to comply with the provisions of this subsection.”.

(B) Section 225(c)(2)(B) of such Act (42 U.S.C. 425(c)(2)(B)), as so redesignated, is amended—

(i) by striking “who is required under subparagraph (A)” and inserting “described in clause (ii) of subparagraph (A) who is required”;

(ii) by striking “paragraph (3)” and inserting “paragraph (4)”.

(C) Section 225(c)(3)(A) of such Act (42 U.S.C. 425(c)(3)(A)), as so redesignated, is amended—

(i) by striking “paragraph (1)” and inserting “paragraph (2)(A)”;

(ii) by striking “paragraph (5)” and inserting “paragraph (6)”.

(D) Section 225(c)(3)(B) of such Act (42 U.S.C. 425(c)(3)(B)), as so redesignated, is amended by striking “paragraph (1)” and inserting “paragraph (2)(A)”.

(E) Section 225(c)(5) of such Act (42 U.S.C. 425(c)(5)), as so redesignated, is amended by striking “paragraph (2)” and inserting “paragraph (3)”.

(F) Section 225(c)(6)(A) of such Act (42 U.S.C. 425(c)(6)(A)), as so redesignated, is amended—

(i) by striking “who are receiving benefits under this title and who as a condition of payment of such benefits” and inserting “described in paragraph (2)(A)(i) who elect to undergo treatment; and the monitoring and testing of all individuals described in paragraph (2)(A)(i) who”;

(ii) by striking “under paragraph (1)”;

(iii) by striking “paragraph (2)(A)” and inserting “paragraph (3)(A)”.

(G) Section 225(c)(6)(C)(ii)(I) of such Act (42 U.S.C. 425(c)(6)(C)(ii)(I)), as so redesignated, is amended—

(i) by striking “residing in the State” and all that follows through “they are disabled” and inserting “described in paragraph (2)(A) residing in the State”;

(ii) by striking “paragraph (2)(A)” and inserting “paragraph (3)(A)”.