

To have the maximum impact on Everglades restoration, the conferees intend that funds provided for in this legislation be used in priority areas. Prior to acceptance of the Everglades provisions, discussions among conferees focused on the importance of acquiring and restoring land in the Everglades Agricultural Area. The conferees expected that the Secretary of the Interior would give priority to acquiring and restoring lands within the Everglades Agricultural Area, including the Talisman tract, in order to make those lands available for water storage and delivery. Both the House and Senate bills used identical language to make this point as well:

The Secretary of the Interior * * * shall use the funds to conduct restoration activities in the Everglades ecosystem which may include acquiring private acreage in the Everglades Agricultural Area including approximately 52,000 acres that is commonly known as the Talisman tract.

At the meeting of conferees, I pointed out that the greatest need for restoration is in the over 130,000 acres of the Everglades Agricultural Area which includes much of the land that makes up the Talisman tract. I intend to monitor this issue closely to make certain that the funds are properly spent.

This small down payment will be insufficient for total restoration. It is only part of the Federal Government's share of this coordinated restoration effort. More important, it in no way relieves others—particularly the sugarcane industry that has benefited from the alteration of the system and continues to pollute it—of its obligation to contribute to restoration costs.

Senator LUGAR and I have proposed that Florida sugar producers contribute for restoration purposes a 2-cent per pound assessment on sugar grown in the Everglades. The administration supports a 1-cent assessment. These proposals have widespread support in Florida.

On March 25, Mary Barley, chair of the citizens group, Save Our Everglades, announced the launching of a ballot initiative to protect and restore the Everglades. She said that "we are facing a crisis and time is running out." In proposing a "Penny for the Everglades," Mrs. Barley spoke eloquently about her late husband, George, who devoted the last years of his life to restoring this national treasure.

At that announcement, Mary quoted George who had said:

Long after we are gone, the Everglades ecosystem will be our legacy—to our children and the rest of the nation.

George Barley was right then and Mary Barley is right today. Congress and the administration must follow their lead and require sugar growers in the region to pay their fair share to restore the Everglades.●

RELEASE OF THE REPORT BY THE TASK FORCE ON NATIONAL DRUG POLICY

● Mr. D'AMATO. Mr. President, this bicameral task force was established for one reason: To closely examine the current state of affairs of our national drug policy. Along with my Senate and House colleagues, I am distressed that the problem has escalated to this present level.

The one startling and depressing fact revealed by the report released yesterday is that drug use among teenagers is actually on the rise, after years of decline.

There is no disputing the rise in illicit drug use by adolescents. Studies have shown that 2.9 million teenagers used marijuana in 1994, an increase of 1.3 million just from 1992. This alarming trend shows that one in three high school seniors smoke marijuana. Since 1992, drug use by 10th graders has risen nearly two-thirds. Drug use by eighth graders has nearly doubled since 1991. Of a class of 30 students in a New York City high school or junior high, approximately 5 use marijuana or other illicit drugs heavily.

The rise in marijuana use has serious implications. The Center on Addiction and Substance Abuse indicates that teenagers who use marijuana are 85 times more likely to use other dangerous drugs in the future, such as cocaine. Obviously, the use of drugs cannot be pushed aside but must be placed on the national agenda and confronted. Real efforts must be made to reverse this trend.

Ignoring these numbers is destructive to our children. A report by the Senate Judiciary Committee notes that, "If such increases are allowed to continue for just 2 more years, America will be at risk of returning to the epidemic drug use of the 1970's."

The impact on our Nation's cities will be just as detrimental. The Center on Addiction and Substance Abuse at Columbia University in New York released a report showing the costs related to substance abuse were \$20 billion in the city of New York. These costs take into account all types of substance abuses and reflect the amount spent in terms of crime, violence, health care, emergency services, abuse, social programs, and business costs. If drug use is rising among teenagers, the cost to New York City will skyrocket as they get older.

Even more frightening is the fact that the authors of the study state that "Among 15- to 24-year-olds, substance abuse, in the form of AIDS, homicides, and drug and alcohol overdoses, accounts for 64 percent of deaths." Those deaths could have been prevented.

Our law enforcement agencies are feeling the rise in drug use. The March issue of Police Chief, which is dedicated to the war on drugs, describes the growing presence of illegal drugs and the ever-increasing rise in violence that accompanies it. The result is a

scared populous and an overextended law enforcement, including local law enforcement. An article coauthored by Chief Bob Warshaw of the Rochester Police Department in New York and DEA Assistant Administrator Paul Daly describes the feeling across the Nation: "The distribution and abuse of powder and crack cocaine have resulted in an unprecedented wave of violence across our country, the debilitating effect of which has been seen in cities and towns, large and small, throughout the United States."

It is our obligation, and the responsibility of the administration, to find the reason for the increase in teenage drug use and to tackle it forcefully. We must start taking an aggressive action against this drug epidemic.

The Clinton administration, however, has become complacent and that is reflected in their lack of attention to the illicit drug trade. The number of Federal prosecutions dropped by 12 percent within 2 years. Overall, transit zone seizures, or disruptions, decreased more than 50 percent, from 1993 to mid-1995. Budget priorities were shifted in the Customs Service, the Department of Defense, and the U.S. Coast Guard away from counternarcotics.

With drug use on rise with teenagers, the administration has to start allocating adequate resources in order to reduce the presence of narcotics in the United States. But instead, when President Clinton took office, he cut the Office of National Drug Control Policy from 147 to 25, an indication of the President's priorities. When faced with criticism of a failed drug strategy, President Clinton has found the need to restaff the drug czar's office.

While the administration prefers to ignore the statistics, the task force has taken matters into its own hands and compiled a list of recommendations that will help to reverse the disturbing trend of teenage drug use.

By using state-of-the-art technology at U.S. ports of entry, narcotics can be intercepted at the border, before it ever reaches children. This also means a shift in focus for agencies at our borders and airports that are primarily responsible for drug interdiction.

In addition, the United States must do all it can to convince foreign countries to cooperate on the counternarcotics effort. Certification must be strictly applied, and sanctions imposed. When a country fails to cooperate with the United States to combat drug trafficking, the President who has the obligation to accurately report on the certification status of a targeted country, must apply those sanctions accordingly. Unfortunately, this certification process has not been taken seriously.

Despite the administration's awareness that 60 to 70 percent of the illegal drugs flowed from Mexico into the United States, and that 75 percent of the cocaine in the United States comes from our neighbor to the South, the administration certified Mexico as fully

cooperating in the counternarcotics efforts. Sanctions must be applied, we can no longer pay lipservice to the certification process.

And efforts must be stringent in the United States. Drug traffickers and drug-related violent criminals must serve their full sentence. Drug awareness programs must be accountable. Throwing money at the problem does not solve it.

All aspects of drug control strategy must be defined: "public disapproval, information, law enforcement, interdiction, and treatment." While treatment is merely one component of the effort to combat the drug epidemic, it cannot be the sole solution. Alone, it will not work. One clear indication of the failure of treatment alone is the emergency room rate for cocaine and heroin-related cases, as studied by the Drug Abuse Warning Network. Heroin episodes in emergency rooms rose 66 percent in 1993. Evaluations should be conducted so that only effective programs will be maintained.

Ninety percent of the American public sees the drug problem as a top priority. It is time the administration does the same. This is our clear, undeniable message: If the administration refuses to be a leader on this issue, then we will. This report was our first step to put a tough drug strategy on the national agenda.●

CALIFORNIA YEAR OF THE ALUMNI

● Mrs. BOXER. Mr. President, on April 11, 1996, graduates of the California State University will gather in Washington, DC, to celebrate 1996 as "California Year of the Alumni". Today I wish to recognize the achievements and contributions of the more than 2.1 million alumni of that great institution.

The California State University is a vibrant, important part of California's public university system. Its graduates are an integral part of the many communities which comprise our great State. An estimated 10 percent of the workforce in the State of California are alumni of the California State University. Their contributions, both separate and collective, are evident in all aspects of life in my State.

CSU graduates are active in the arts, commerce, the professions, government, and elsewhere. Proud of an educational experience made possible by the foresight of Californians who came before them, CSU alumni are committed to maintaining first-rate educational institutions in California.

The alumni of the California State University promote and support campus environments where today the values of scholarship, citizenship, and self-development are shared and nurtured by more than 300,000 students and faculty on 21 campuses. Additionally, thousands of graduates volunteer their time, energy, and resources to myriad other causes, providing themselves daily as ambassadors and stewards of positive change.

It is my great pleasure to honor the alumni of the California State University on the floor of the U.S. Senate today as they celebrate the "California Year of the Alumni."●

SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT

● Mr. BOND. Mr. President, on March 19th by a vote of 100 to 0, the Senate passed S. 942, the Small Business Regulatory Enforcement Fairness Act, legislation to implement some of the most important recommendations of the White House Conference on Small Business. Yesterday, the House passed H.R. 3136, the Contract With America Advancement Act of 1996 which incorporates the Small Business Regulatory Enforcement Fairness Act as amended in the House by the Hyde amendment. The Senate has now approved H.R. 3136 by unanimous consent and Senator BUMPERS and I would like to take this opportunity to further explain the purpose of the act. On March 15, we gave a detailed explanation of the managers amendment adopted by the Senate prior to passage of S. 942. The amendment offered by Representative HYDE is substantially similar to S. 942 as passed by the Senate.

Three changes are worth noting. First, the amendments to the Equal Access to Justice Act were revised by the House to take into account some of the concerns raised by the administration in the Statement of Administration Position. The new language embodies the intent of our managers amendment but clarifies that attorneys fees would be awarded when there is an unreasonably large difference between an agency demand and the final outcome of the case. Second, the House dropped the second phase of the Small Business Advocacy Review Panels. Thus the panels now only apply at the proposal stage of EPA and OSHA rulemakings. Finally the time period for the congressional review of regulations, adopted as part of the Nickles-Reid amendment, was extended from 45 to 60 days. We expect the authors of the Nickles-Reid amendment will have a detailed explanation of the Congressional Review Subtitle.

In order to provide additional guidance for agencies to comply with the requirements of the Small Business Regulatory Enforcement Fairness Act, I ask to have printed in the RECORD a section-by-section analysis of the subtitles A through D of act as modified by the Hyde amendment. Since there will not be a conference report on the act, this statement and a companion statement in the House should serve as the best legislative history of the legislation as finally enacted.

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

SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT—JOINT MANAGERS STATEMENT OF LEGISLATIVE HISTORY AND CONGRESSIONAL INTENT

I. SUMMARY OF THE LEGISLATION

The Hyde amendment to H.R. 3136 replaces Title III of the Contract with America Advancement Act of 1996 to incorporate a revised version of the Small Business Regulatory Enforcement Fairness Act of 1996 (the "Act"). This legislation was originally passed by the Senate as S. 942. The Hyde amendment makes a number of changes to the Senate bill to better implement certain recommendations of the 1995 White House Conference on Small Business regarding the development and enforcement of Federal regulations, including judicial review of agency actions under the Regulatory Flexibility Act (RFA). The amendment also provides for expedited procedures for Congress to review agency rules and to enact Resolutions of Disapproval voiding agency rules.

The goal of the legislation is to foster a more cooperative, less threatening regulatory environment among agencies, small businesses and other small entities. The legislation provides a framework to make federal regulators more accountable for their enforcement actions by providing small entities with an opportunity for redress of arbitrary enforcement actions. The centerpiece of the legislation is the RFA which requires a regulatory flexibility analysis of all rules that have a "significant economic impact on a substantial number" of small entities. Under the RFA, this term "small entities" includes small businesses, small non-profit organizations, and small governmental units.

II. SECTION-BY-SECTION ANALYSIS

Section 301

This section entitles the Act the "Small Business Regulatory Enforcement Fairness Act of 1996."

Section 302

The Act makes findings as to the need for a strong small business sector, the disproportionate impact of regulations on small businesses, the recommendations of the 1995 White House Conference on Small Business, and the need for judicial review of the Regulatory Flexibility Act.

Section 303

The purpose of the Act is to address some of the key federal regulatory recommendations of the 1995 White House Conference on Small Business. The White House Conference produced a consensus that small businesses should be included earlier and more effectively in the regulatory process. The Act seeks to create a more cooperative and less threatening regulatory environment to help small businesses in their compliance efforts. The Act also provides small businesses with legal redress from arbitrary enforcement actions by making federal regulators accountable for their actions.

Subtitle A—Regulatory Compliance Simplification

Section 311

This section defines certain terms as used in the subtitle. The term "small entity" is currently defined in the RFA to include small business concerns, as defined by the Small Business Act, small nonprofit organizations and small governmental jurisdictions. The process of determining whether a given business qualifies as a small entity is straightforward, using thresholds established by the SBA for Standard Industrial Classification codes. The RFA also defines small organization and small governmental jurisdiction. Any definition established by an agency for purposes of implementing the RFA would also apply to this Act.