

to talk about it, some way to say, "Well, the 4.3 cents will never get to the consumer."

I do not believe that. First of all, it has such a high level of visibility that it surely will have to go there. Second, there is great competition, as you know. If I have a gas station on one corner and you have one on the other, and I lower mine, you are going to lower yours, too. That is going to happen. Competition has a great deal to do with that.

We had a hearing this week and took a look at the costs of gasoline, and it is roughly a third—about a third for crude oil, about a third in the refining and marketing, and about a third in taxes. Not many commodities are taxed that high. So we ought to do that.

I am very disappointed that instead of voting on it, instead of following the advice of the President, who over the years has indicated that he was opposed to a gas tax, who indicated during his campaign that that was not a good tax because it taxed the poor at a much higher level of a percentage of their income than the rich—it is true—now supports it, brought it to us. So we need to change that. Why do we not? Because our friends on that side of the aisle will not let it come up.

Filibuster. This is not the classic filibuster where people stand up and talk all night and bring their sleeping bag and cook dinner out in the back. This is the kind where it is simply obstructionism that will not let it come to the floor, and it continues.

So we need to change that, Mr. President. We need to move forward. Let these issues stand for all as they will.

Finally, I think there has been some frustration, at least on my part, this year in that this is not the first time or the only time it has happened. My friend from Georgia just indicated that some 60 times this has happened this year, more than any other time in recent history. We have set about to make some changes this year.

I think those of us who just came last year in the last election are maybe more aware of the need for change, feel more of a mandate to make a change. I think, to a large extent, we have succeeded in causing that change to happen. We have not come to closure on as many things as I wish we would have and could have, but I can tell you that we have changed the debate here.

Now we are talking about how do you balance the budget, arguing about which aspects of the budget we can change to balance it. For 25 years we did not talk about balancing the budget at all. Now we are. Now we are talking about ways to make Government more efficient and more effective and, indeed, to move some of the functions of Government back closer to people, the States and the counties. That is a new idea. Not since the Great Society with Lyndon Johnson have we talked about making it smaller rather than larger. So there have been a lot of

things that this same sort of obstructionism has caused not to happen.

Tort reform. A lot of people believe that we ought to do something in our legal system, do something about litigation so that we do not have this constant pressure. We cannot do that because there is obstruction from the White House.

Regulatory reform. Almost everybody understands and recognizes that we are overregulated. Sure, we need regulations, but they need to be the kind that are efficient and effective and not so costly. We did not get regulatory reform because it was obstructed.

The balanced budget amendment to the Constitution failed by one vote in the Senate. As I mentioned, people argue, "Well, we don't need to do that." The evidence is we do. We do it in my State. We do it in most of our States. We do it in about 43 States, I think. There is a constitutional amendment that you cannot spend more than you take in. That makes sense. It is morally and fiscally responsible. We ought to do that.

Welfare reform. Almost everybody believes that we need to help people who need help, but we need to help them back into the work force, and we need to make some changes so that can happen. We need to move that much more to the States. Certainly the delivery system in Wyoming for welfare needs to be different than it is in Pennsylvania. We have 100,000 miles and 475,000 people, half of what is in Fairfax County across the river. Our system has to be different. We need to let the States devise that delivery system.

Health care reform is stalled right now. It is not an extensive health care reform, but it has to do with portability; it has to do with accessibility to insurance. It is hung up now. We cannot move forward.

I have been involved, as have many of us, with Superfund reform. Everybody knows Superfund reform has to come about. One of the main contributors to cleaning up Superfund sites are insurance dollars, and 85 percent of those dollars go to legal fees, not to cleaning up Superfund sites. That needs to be changed. We need to reduce spending. Talk about balancing the budget—spending has continued to grow.

So, Mr. President, those are some of the effects, it seems to me, of sort of obstructing moving forward. This one is more pronounced than most. We cannot move on the gas tax. But it has been going on all year. That apparently is the strategy to move into this election, to make sure we do not do anything. I think that is too bad.

So, Mr. President, I hope that we can do something about it. I hope we can make a move. I think the 4.3-cent gas tax needs to be repealed and needs to be returned. I hope, as we move into the debate on the budget, that we can at least talk about facts, put the numbers out there as they really are, and then argue about whether you like it

or not. I hope that we can move forward on a great many of the issues that I believe people would like to see considered and would like to see passed.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOLE. Mr. President, parliamentary inquiry. Are we in morning business?

The PRESIDING OFFICER. We are in morning business.

CLINTON ADMINISTRATION POLICY ON DRUG SMUGGLERS

Mr. DOLE. Mr. President, after reading a May 13 report in the Los Angeles Times, I wrote to Attorney General Reno expressing my shock at reports that Clinton administration officials are letting drug smugglers go free as a matter of official policy.

Although I have not yet heard back from Attorney General Reno, this is a disturbing matter that requires action now. Drug use among our children is on the rise and is contributing to the rise in juvenile crime.

Therefore, tomorrow I plan to offer a sense-of-the-Senate resolution calling on Attorney General Reno to investigate this matter and report back to Congress in 30 days, and calling on the Attorney General to ensure that any policy that allows drug smugglers to go free is stopped and that all such persons be vigorously prosecuted.

Mr. President, the Clinton administration has been indifferent, at best, to the war on drugs right from the beginning when President Clinton largely dismantled the drug czar's office. I hope my colleagues will join me in sending a strong message that, for the sake of our children today and tomorrow, we believe we must aggressively put these drug smugglers—who are nothing more than merchants of death—where they belong, behind bars.

I will point out a few statistics. These are not Senator DOLE's facts. These are facts given to us by people who are experts in the area. The number of young people between 12 and 17 using marijuana has increased from 1.6 million in 1992 to 2.9 million in 1994. That has probably increased a lot more since the end of 1994. And the category of "recent marijuana use" has increased a staggering 200 percent among 14- to 15-year-olds. About one in three high school students uses marijuana, and 12- to 17-year-olds who use marijuana are 85 percent more likely to graduate to cocaine than those who abstain from marijuana. Juveniles who reach age 21 without ever having used drugs almost never try them later in life. If you make the first 21 years

without using drugs, then you are probably not going to be addicted.

The latest results from the Drug Abuse Warning Network shows that marijuana-related episodes jumped 39 percent and are running at 155 percent above the 1990 level. Another frightening figure is that between February 1993 and February 1995, the retail price of a gram of cocaine fell from \$172 to \$137 and a gram of heroin also fell from \$2,032 to \$1,278, which means it is going to be more accessible and readily available because it costs less. The number of defendants prosecuted for violations of the Federal drug laws has dropped from 25,033 in 1992 to 22,926 in 1995.

So it seems to me that we have a very serious problem on our hands. It is not a partisan issue. It is not politics at all, as far as I know. So I hope my colleagues will have an opportunity here.

I ask unanimous consent that the resolution and the letter I sent Attorney General Reno be printed in the RECORD, which I send to the desk.

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

SENSE-OF-THE-SENATE RESOLUTION ON THE ADMINISTRATION'S PRACTICE REGARDING THE PROSECUTION OF DRUG SMUGGLERS

Whereas, drugs use is devastating to the nation, particularly among juveniles, and has led juveniles to become involved in interstate gangs and to participate in violent crime;

Whereas, drug use has experienced a dramatic resurgence among our youth;

Whereas, the number of youths aged 12-17 using marijuana has increased from 1.6 million in 1992 to 2.9 million in 1994, and the category of "recent marijuana use" increased a staggering 200% among 14- to 15-year-olds over the same period;

Whereas, since 1992, there has been a 52% jump in the number of high school seniors using drugs on a monthly basis, even as worrisome declines are noted in peer disapproval of drug use;

Whereas, 1 in 3 high school students use marijuana;

Whereas, 12- to 17-year-olds who use marijuana are 85% more likely to graduate to cocaine than those who abstain from marijuana;

Whereas, juveniles who reach 21 without ever having used drugs almost never try them later in life;

Whereas, the latest results from the Drug Abuse Warning Network show that marijuana-related episodes jumped 39% and are running at 155% above the 1990 level, and that methamphetamine cases have risen 256% over the 1991 level;

Whereas, between February 1993 and February 1995 the retail price of a gram of cocaine fell from \$172 to \$137, and that of a gram of heroin also fell from \$2,032 to \$1,278;

Whereas, it has been reported that the Department of Justice, through the United States Attorney for the Southern District of California, has adopted a policy of allowing certain foreign drug smugglers to avoid prosecution altogether by being released to Mexico;

Whereas, it has been reported that in the past year approximately 2,300 suspected narcotics traffickers were taken into custody for bringing illegal drugs across the border, but approximately one in four were returned to their country of origin without being prosecuted;

Whereas, it has been reported that the U.S. Customs Service is operating under guidelines limiting any prosecution in marijuana cases to involving 125 pounds of marijuana or more;

Whereas, it has been reported that suspects possessing as much as 32 pounds of methamphetamine and 37,000 Quaalude tablets, were not prosecuted but were, instead, allowed to return to their countries of origin after their drugs and vehicles were confiscated;

Whereas, it has been reported that after a seizure of 158 pounds of cocaine, one defendant was cited and released because there was no room at the federal jail and charges against her were dropped;

Whereas, it has been reported that some smugglers have been caught two or more times—even in the same week—yet still were not prosecuted;

Whereas, the number of defendants prosecuted for violations of the federal drug laws has dropped from 25,033 in 1992 to 22,926 in 1995;

Whereas, the efforts of law enforcement officers deployed against drug smugglers are severely undermined by insufficiently vigorous prosecution policies of federal prosecutors;

Whereas, this Congress has increased the funding of the Federal Bureau of Prisons by 11.7% over the 1995 appropriations level;

Whereas, this Congress has increased the funding of the Immigration and Naturalization Service by 23.5% over the 1995 appropriations level; Therefore be it

Resolved, That it is the Sense of the Senate that the Attorney General promptly should investigate this matter and report, within 30 days, to the Chair of the Senate and House Committees on the Judiciary;

That the Attorney General should change the policy of the United States Attorney for the Southern District of California in order to ensure that cases involving the smuggling of drugs into the United States are vigorously prosecuted; and

That the Attorney General should direct all United States Attorneys vigorously to prosecute persons involved in the importation of illegal drugs into the United States.

U.S. SENATE,

OFFICE OF THE REPUBLICAN LEADER,
Washington, DC, May 13, 1996.

Hon. JANET RENO,

U.S. Department of Justice, 10th Street and Constitution Ave., NW, Washington, DC.

DEAR ATTORNEY GENERAL RENO: I am writing to request your response to a disturbing Los Angeles Times story ("Drug Runners Arrested at Border Often Go Free," May 13, 1996) that suggests that U.S. Attorney Alan Bersin has adopted an official policy allowing some drug smugglers to return to Mexico without prosecution.

According to the Times article, officials at the U.S. Attorney's office "confirm that under a program quietly adopted two years ago, an increasing number of suspected traffickers have been sent back to Mexico without arrest or prosecution in either federal or state court" and "more than 1,000 smuggling suspects have been processed in this way since 1994." More specifically, the Times article reports that:

Two suspects with 32 pounds of methamphetamine, and another with 37,000 Quaalude tablets, were simply "excluded" from the United States after their drugs and vehicles were confiscated.

After a seizure of 158 pounds of cocaine, one defendant was cited and released because there was no room at the federal jail and the charges against her were dropped.

U.S. Customs Service records show that some drug smugglers have been apprehended

two or more times—even in the same week—and have not been jailed or prosecuted.

No prosecutorial action has been taken against a number of drug smugglers captured with more than 125 pounds of marijuana.

According to one Drug Enforcement Administration agent cited in the article, "there is virtually no risk [to smugglers] as long as they keep quantities down. First of all, the chances of getting caught are slim, and the chances of prosecution are almost zero if you get caught with a small quantity and if you're a Mexican national."

Attorney General Reno, my questions to you are simple ones: Is the Los Angeles Times story accurate? And if so, do the policies of the U.S. Attorney's office in Los Angeles represent the policies of the Justice Department and the Clinton Administration?

With teenage drug use on the rise here in the United States and with the ascendancy of Mexico as a major U.S. supplier of cocaine, marijuana, and methamphetamine, the American people would rightfully expect that we would be hard at work strengthening our fight against the Mexican drug trade, not weakening it, as the Los Angeles Times story suggests.

Thank you for your prompt attention to this important matter. I have attached a copy of the full Los Angeles Times article for your review.

Sincerely,

BOB DOLE,

Senate Majority Leader.

Mr. DOLE. Mr. President, I yield the floor.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, I think so often of that November evening long ago, in 1972, when the television networks reported that I had won the Senate race in North Carolina. It was 9:17 in the evening and I recall how stunned I was.

I had never really anticipated that I would be the first Republican in history to be elected to the U.S. Senate by the people of North Carolina. When I got over that, I made a commitment to myself that I would never fail to see a young person, or a group of young people, who wanted to see me.

I have kept that commitment and it has proved enormously meaningful to me because I have been inspired by the estimated 60,000 young people with whom I have visited during the 23 years I have been in the Senate.

A large percentage of them are greatly concerned about the total Federal debt which back in February exceeded \$5 trillion for the first time in history. Congress created this monstrous debt which coming generations will have to pay.

Mr. President, the young people who visit with me almost always are inclined to discuss the fact that under the U.S. Constitution, no President can spend a dime of Federal money that has not first been authorized and appropriated by both the House and Senate of the United States.

That is why I began making these daily reports to the Senate on February 25, 1992. I decided that it was important that a daily record be made of the precise size of the Federal debt