

are selling stock to pay for their children's tuition.

We are not denying that there should be the opportunity for children to go to college, but what we want to distinguish is how the middle-income, the working family, does not get the same equal benefit. I think that is just key in what we are trying to do here.

There are various loopholes about how this capital gains transfer by the richer family being able to give the stocks over to the children, getting a benefit, and then the children being able to sell it and use it for college, that does not happen when hard-working middle-income families just want to sell a few mutual funds, they do not get the same benefit as the richer population.

I think that is extremely important, as well as, let me add, the fact that this is a 422-page bill. I noted that part of it has reporting requirements for unions. This is a complex set of new laws that are coming into being.

I always thought that one of the things that we in Congress wanted to do was to simplify the Tax Code, to simplify the process, and to allow those working families and small businesses to be able to pay taxes and to have taxes cut or tax relief in a simplified process. That is not the case with this new 422-page proposal offered by the Republicans.

Mr. PALLONE. Mr. Speaker, we do not have much time, but if I could just summarize, I think we pretty much pointed out first of all why the Democratic tax cut alternative is fairer, because it essentially targets tax cuts on those who need them.

As was pointed out by the gentleman from Connecticut [Ms. DELAURO], we are talking about scarce resources here. This is a balanced budget plan. We want to give tax cuts where they are needed. That is really essentially what the Democrats are all about: making it fair, making it primarily for those who need them. It is obviously a lot better for working families.

We talked about the per-child tax credit. We talked about how it is better for education, because it gives more money to people who have the need, whether they are in the first 2 years of college or they are in 4 years of college, whether they are in graduate education.

Lastly, and certainly no less important, is it is so much better with regard to the deficit. I think there is the really telling point, if you will, when I talk to my constituents. When they listen to what the gentleman from Washington said, if we go through this process and at the end of this process, 10 years from now, we end up with an even larger deficit than we have now, basically we are lying to the American people.

Ms. DELAURO. Shame on us.

Mr. PALLONE. That cannot be. We just have to keep pointing it out every day on the floor, as we are doing now,

and hopefully ultimately our colleagues will listen and understand why the Democratic alternative is better.

Mr. Speaker, I just want to thank the two gentlewomen for participating, but we are going to have to do this a lot more.

Ms. DELAURO. I think it is worth doing, and we thank the gentleman for his leadership on this issue.

#### THE QUESTION OF RACE AND REMARKS BY PRESIDENT CLINTON

The SPEAKER pro tempore (Mr. HAYWORTH). Under a previous order of the House, the gentleman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to say that there are many things that we come to the floor of the House to discuss, and many times we do have a difference of opinion, because this is the nature of the democratic process.

Allow me to speak very pointedly on an issue on which I am going to call for a bipartisan response and a joined and open-minded response that takes into consideration the intense feelings held by many in this Nation on this question. That is the question of race, and the remarks that were made by the President of the United States this past weekend.

Mr. Speaker, I do not view his remarks as being political, though I know the commentary has reached all levels of debate. I do find his words to be important and instructive, for it is noteworthy that we are only 3 years now away from the 21st century. His remarks, if summarized, asked America how they wished to be defined, whether we wanted to go into the 21st century being defined as a divided nation, a nation that could not help heal its wounds and heal the divisiveness.

So I want to applaud the President for calling to our attention the fact that now is the time, as was asked by Dr. Martin Luther King, if not now, then when, for us to come and speak clearly, resoundingly and positively, about bringing this Nation together. I applaud that.

I imagine that over the year's debate, with the commission that he has constructed to carry this forth, that there will be many points of view being raised.

□ 1915

In fact, I believe that there will be many groups that will further articulate what that means, action items, economic development, education of our children, the elimination of drug addiction in inner cities, rebuilding of our infrastructure, creating jobs, helping small businesses get access to capital. All of that will be part of the larger solution. But no one can take away from the importance of the problem and the importance of discussing the problem.

That is why I think it so very important to acknowledge this debate and

his raising of this debate and his proudness as well as courage in raising it comes the possibility of failure. Already so many have cast their lot on the failure side. I cast mine on the success side.

I would ask the Speaker and I would ask Members of this House that they rise up and support this effort in a bipartisan manner. Therefore, talk about color-blindness and eliminating affirmative action and legislation that is being announced to eliminate all Federal affirmative action should now be stopped itself; cease and desist, until a full discussion can be taken to determine whether or not now is the time to eliminate affirmative action. I would say resoundingly not. The facts are there. Eighty percent decrease in admissions in the University of California system. Not one single African-American admitted or accepted into the University of Texas School of Law. Let me say, accepted, but yet only one admitted and none attending in fall of 1997. So there is data to suggest that we do have a problem in making sure that women, African-Americans, Hispanics and Anglos, Asians, and others who come from diverse backgrounds are all in the circle.

There was an article noted in the Houston Chronicle on June 17, 1997, written by NEWT GINGRICH and Ward Connerly. They seemed to try to emphasize, in defending opposing affirmative action and as well not rising to the debate that would help bring us together, that other issues are important. Let me say that I agree that we must educate our children. Let me say that I agree that we must do other things, Mr. Speaker, to ensure that we bring us together.

But let us not forget, Mr. Speaker, that we can do it by discussion and then solving the problem and, yes, we can do it by an apology. Let us work together to solve the problems of racial divide.

#### JUVENILE CRIME

The SPEAKER pro tempore (Mr. HAYWORTH). Under the Speaker's announced policy of January 7, 1997, the gentleman from Florida (Mr. MCCOLLUM) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCCOLLUM. Mr. Speaker, tonight I come to talk for a few minutes wearing my hat as chairman of the House Subcommittee on Crime. The reason that I do is because I have been engaged in discussions over the past few days and several weeks, for that matter, with respect to juvenile crime, where we are going with it, why the bill H.R. 3 was shaped the way it was to reform the juvenile justice system, and what is going to happen generally in relationship to the whole issue of crime in the United States and drugs, which are present on the minds of most Americans on a rather continual basis unfortunately.

I thought that we should start this discussion for a minute by putting

things into perspective, the big picture. There have been a lot of statistics recently released by various agencies, the Department of Justice, some private institutions that would indicate that there has been a decline in the amount of crime, violent crime in the United States over the last few years. Indeed the good news is, there has been a marginal improvement in the rate of crime and in the numbers of violent crimes committed in the Nation as a whole over the last four consecutive reporting periods that the Department of Justice reports. But I do not think that this should give us any comfort or solace.

The reason why we are still seeing on television every night violent crime being committed in this country, heinous murders, rapes, assaults, is because of the fact that there is not enough improvement in those crime rates, not by any stretch of the imagination. We are in a state of this country where, if you go to the grocery store, let us say the 7-11 store, at 10 or 11 at night now, it is four times more likely that you are going to be raped or robbed or murdered when you go to that 7-11 store than it was in 1960.

To put that in real numbers, in 1960 there were 160 violent crimes for every 100,000 people in our population, and in 1995 there were 685 violent crimes for every 100,000 people. That is 160 back in 1960 versus 685 violent crimes for every 100,000 people this last reporting period we have in 1995.

That is a remarkably larger amount of violent crime than most people are really willing to accept or understand exists. Just today we had a hearing in the Subcommittee on Crime on the issue of gangs and intimidation of witnesses who are supposed to testify in gang-related violent crime. Unfortunately, the witnesses, all of them in the prosecutorial arms of our State governments, from California to Pennsylvania to Utah, expressed grave concern about the fact that we are not getting the number of convictions that we used to get with respect to violent crime in their communities because witnesses are not coming forth. The reason they are not coming forth is because they are intimidated that other witnesses are being murdered in these gang violent situations in an attempt to keep people from coming out and telling what they know about what happened in these crimes.

But along the way, in addition to discussing the intimidation factor, we got some alarming statistics given to us about the murder rate and crime rates in some of our larger cities. While it is true that in New York City, as one exception to this, and a dramatic exception where the crime rate has come down dramatically in the last year, and I commend Mayor Giuliani and his force for what they have done in that city to see that happen. Cities like Philadelphia have not had the same result. And the statistics that were given to us today from Philadelphia show

that in 1965, the number of homicides in the city of Philadelphia were 205. In 1996, there were 431. The city of Philadelphia has lost population since 1965, lost population. But the number of murders are up from 205 to 431.

If that is not alarming enough, the so-called clearance rate, or the number of cases that are solved, that they get convictions on and find out who did the murder and produce some justice on them, in 1965, the clearance rate, the solving rate of these murders was 93 percent. There were only 15 unsolved homicides in the city of Philadelphia that year; but this past year in 1996, that rate had dropped from 93 percent solved, 93 percent clearance rate to 56 percent.

There were 190 unsolved murders in the city of Philadelphia this last year. A large portion of that, it has been expressed to us, is because of this witness intimidation and the gang world that Philadelphia is locked in. But that is not unique to Philadelphia. Salt Lake City, Orlando, FL, Atlanta, GA, Chicago, Los Angeles, any of our larger cities are experiencing virtually the same type of results. Similar statistics are abundant in those communities. So even though you may get a good example once in a while of some very exceptionally good news like we had out of New York City last year where the number of murders was dramatically down, that is not true of the Nation as a whole.

Violent crime is nowhere near a level that is acceptable or tolerable. What do we do about it and why has this become such a big problem? There are a lot of reasons of course. The root cause of crime can be traced back in many cases to single-parent families with poverty, lack of role models, no mentoring, a lack of education, a lack of hope. There are plenty of reasons why the underlying societal problems exist in many of our urban areas that produce conditions that lead youngsters into a path of crime and later violent crime.

I want to discuss a couple of statistics tonight on the front end of this. That is the end we see when the police get out on the streets and our justice system has to face this situation and then come back and address the prevention side of this later on.

The criminal justice system is currently failing to hold criminals accountable for their crimes. Of the 10.3 million violent crimes committed in 1992, the last year I have the full statistics for, the 10.3 million in 1992, only 3.3 million were reported to the police. About 641,000 led to arrests, 165,000 to convictions, and only 100,000 violent criminals received a prison sentence. About 76 percent of those prisoners will be back on the streets in 4 years or less.

The only good news I can report is that, once truth in sentencing laws passed this Congress and passed now in roughly 25 of the States, at one time, before we passed them and sent incentive grant programs to build more pris-

ons and to require prisoners who commit repeat violent felonies to serve at least 85 percent of their sentences, States could not get the money to build the prisons unless they went to that rule. We had only a half dozen States that had a rule that required any lengthy prison sentence to be served pretty much in full. But today about 25 States do and the Federal Government does. And so we are seeing now the percentage of time served by these repeat violent felons has gone up from about one-third of their sentences to about 50 percent or a little under 50 percent. I wish I could say it were higher, and I hope the other 25 States that have not yet adopted truth in sentencing have not yet gone to a rule requiring violent criminals to serve at least 85 percent of their sentences do so.

But going back to this statistic, which is still very appropriate, albeit a couple years old, the last time we have it, the 10.3 million violent crimes committed in 1992, and really only about 100,000 violent criminals received any prison sentence at all.

Now the truth of the matter is, it is really rough in this area, is that entirely too great a number of these violent crimes that we know about are being committed by juveniles, those under 18 years of age. Certainly those under 20 years of age.

No population poses a greater public safety threat than juveniles and young adult criminals. More murder and robbery are committed by 18-year-olds than any other age group and more rapes by 17-year-olds than any other age group. And more than one-third of all murders are committed by offenders under the age of 21, a really alarming statistic.

Although the juvenile population is at its lowest that it has been since 1965, the juvenile crime rate has skyrocketed. The number of juveniles arrested for weapons offenses has more than doubled in the last decade. Murder among young people has increased 165 percent and juvenile gang killings have increased 371 percent between 1980 and 1992.

What is even more alarming is a surge in the number of juveniles in the next decade who will be in the age group most likely to commit these violent crimes. The juvenile population is expected to increase by 23 percent nationwide over the next 10 years. California, for example, can expect an increase of 33 percent in the next decade.

This is really a tough message to bring home tonight to discuss, and I realize it is a lot of statistics to throw out, but the bottom line is that while we may feel good about ourselves when we see marginally declining violent crime rates around the Nation as a whole, it is simply misleading.

We have far too much violent crime, particularly among juveniles. One of the great problems we have got today with the juvenile system, which I think is thoroughly broken, is the fact that juveniles learn quickly they can beat

the system. Only 10 percent of violent juvenile offenders receive any sort of institutional placement outside of the home, only 10 percent. The small percentage of juveniles who are placed in confinement for murder, rape, robbery, or assault will be back on the streets in an average of 353 days. They are youthful but dangerous.

Juveniles 15 and younger were responsible for 64 percent of violent offenses handled by juvenile courts in 1994. And between 1965 and 1992, the number of 12-year-olds arrested for violent crime rose 211 percent. The number of 13- and 14-year-olds rose 301 percent, and the number of 15-year-olds rose 297 percent.

These numbers give you an indication of why we have to do something to fight violent juvenile crime more than we have been doing.

So this Congress, this House, a few weeks ago passed H.R. 3, the Juvenile Justice Act, that is now being considered, a version of it, by the other body and will be, in fact, marked up by the Committee on the Judiciary of the other body tomorrow.

This act has been mislabeled, misinterpreted, misunderstood by a lot of folks. The only thing this bill goes to is one but one very significant portion of the puzzle of how we get at this juvenile crime problem that is facing our Nation right now.

We know that there is a drug problem out there. We know that there is an education problem. We know that there is a poverty problem. We know there are a lot of issues that we need to be addressing. What this bill gets at is just one facet of that, not to the exclusion of any of the others, but to bring balance and perspective into it.

It gets it correcting or trying to correct a broken juvenile justice system that is allowing this to happen.

□ 1930

It is allowing a message to go out there to young people that if they go out in the evening with a group, a gang, or whatever, and they decide they are going to vandalize a home or a store or run over a parking meter, spray paint graffiti on a warehouse building, the police who catch them, if they are caught, are not going to take them into the juvenile justice system at all. They will not even take them downtown to book them. Chances are, they will ignore it because the system is overworked and they do not think the juvenile courts will put them away or do anything to them or punish them in any manner.

But if they are taken in for something that is a misdemeanor crime, a juvenile delinquent act, a crime nonetheless, and a juvenile judge sees them, the chances are, in our urban areas at least, it will be 10 or 12 appearances before that judge before any punishment at all is given. And by that I mean before community service or probation even, or something of the nature of community service, is given, any punishment for these kinds of offenses.

Is it any wonder, then, the juvenile authorities tell us in the crime subcommittee, is it any wonder that later, having seen no consequences for their acts at all, that these young juveniles get a gun in their hands and pull the trigger because they do not believe there will be any consequences? They do not believe there will be any punishment. They do not believe there will be any accountability for their acts.

First of all, they do not believe they are going to be caught and, second of all, when they do get caught, they do not believe, because they see their friends not having it happen to them, they do not believe they will be taken in or taken before a court. And, last but not least, they believe if they are, they will get a slap on the wrist. Even if they are, and ultimately the judge does give some kind of punishment for something really serious, a violent crime, and I am giving the average here, they will serve less than 350 days for murder, if they are a teenage violent criminal. I would submit that that is a huge, huge problem.

So this broken juvenile justice system we have needs some fixing. What we did in this bill, in H.R. 3, that is now being considered in the other body and we hope to get to the President later this summer, what we did was two things:

One, we proposed we correct the juvenile justice system at the Federal level and provide a model, even though there are very few juveniles that are actually brought before Federal judges in Federal courts for criminal acts, as opposed to those appearing in State courts.

And then we did what was the most significant thing. We proposed a large grant program out of existing moneys that are set aside for fighting crime at the Federal level, \$500 million a year over the next 3 years, to the States in this country for the purposes of providing more probation officers, more juvenile judges, more detention facilities, any number of things I will mention in a minute, provided that the States assure the Justice Department that administers these grants that they have in place such laws and such regulations and such rules that every juvenile who commits a delinquent act, a crime, a misdemeanor crime of some sort, is punished from that very first delinquent act with some kind of sanction, be it community service or whatever. And that for every subsequent delinquent act that that youngster commits, that that juvenile receives an increasingly greater punishment on a graduated scale.

And that prosecutors in the States, for those who are 15 and older, who commit murder or rape or assault with a gun, just those three things, that prosecutors be given permission in the States to prosecute, 15 years old and older, those who commit those three kinds of violent crimes, as adults. And even then there is the check of the juvenile judge being able to look over the shoulder of the prosecutor.

And the third thing that we ask of the States to qualify for these moneys to improve their juvenile justice systems is that they keep records as adult records are kept for juveniles who commit a felony, if it is the second or greater crime they have committed.

So we could have a felony committed, we could have had a murder committed by a juvenile, if it is the only offense that juvenile has ever committed, and have no records kept. Or we could have 10 or 12 misdemeanor crimes and never have a record kept. But when we have had at least one misdemeanor crime or one felony crime and then have another one, and that is a felony, the records will have to be maintained, just as adults.

The reason we want that qualification is because today when courts, particularly those who see somebody who gets to be 18, who is then an adult for the first time, then courts may see some young hoodlum who is a real thug, who has done some horrendously criminal act, maybe it is murder or maybe it is just a very violent shooting of some sort. If the judge sees that person and the judge has no record, he may not know this person at 17 and 16 and 15 committed an armful or two armful of violent crimes, of murders or rapes or robberies or whatever it may be.

No records in most States today are kept at all beyond the age of 17 for these kinds of offenses. So we require, as a condition to receive these moneys, that the States keep those records or that they require those records to be kept in that given condition.

Last but not least, to qualify the State has to assure the Federal Government that its juvenile judges are given the authority over parents who come before the judges with the juvenile to hold the parent, not responsible for the juvenile delinquent act, but for some charge or responsibility the judge may give to the parent to keep track of that child, to make sure that child performs the community service or the other admonition that the court may place on that juvenile. In other words, enforcing parental responsibility through the court, with court sanctions possible against the parent if they do not fulfill that commitment to the court.

Now, in return for doing all of that, for being willing to make that kind of commitment, which is not in my judgment much, the States are going to be able to build, expand or operate juvenile detention facilities, develop and administer accountability-based sanctions for juvenile offenders, hire additional juvenile judges, probation officers, court-appointed defenders, and fund pretrial services for juveniles to ensure the expeditious administration of the system.

They are going to be able to hire additional prosecutors to target violent juvenile offenders. They are going to be able to provide funding to enable prosecutors to address drug, gang and youth violence more effectively.

Some of the funding could be provided, it is all at the discretion of the States what they use this for, for funding for technology, equipment and training that will assist in the prosecution of juvenile crime. They are going to be able to provide funding, if they choose, to enable juvenile courts and probation officers to become more effective and efficient; to get training, whatever it may take.

They are going to be able to use these monies for the establishment of court-based juvenile justice programs that target young firearms offenders. They are going to be able to use the money, if they want, for the establishment of a drug court program for juvenile offenders; to establish and maintain interagency information sharing programs; to establish and maintain all kinds of accountability-based programs.

Essentially, the list goes on and on of those things which are in the area of juvenile crime fighting that a State or local community can use the funds for, if they simply take the steps of holding young people accountable for the very first juvenile delinquent acts and giving them graduated sanctions thereafter for other acts.

Now, why is this important? This is being criticized by some as an invasion of States rights. The Federal Government does not have any business in the juvenile justice system. We do not have very many juveniles in the system, why is the Federal Government getting involved? Well, I think I have already mentioned why we are getting involved. We are getting involved because there is a crisis in this Nation of very grave nature about violent juvenile crime.

The juvenile justice systems of this Nation are not working. They are broken. They are not producing. We are not keeping the violent criminals. We are not keeping the records on them when they are young people. We are not punishing them. Most of all, we are not giving them any kind of a meaningful sanction to demonstrate there are consequences when they commit lesser offenses early on. There are no resources of any consequence going from the State legislatures and the State governments into the juvenile justice system to do these things.

Yes, some States are doing and there is a movement towards doing the kind of thing that we do in part here, and that is encourage the treatment of those who commit, who are 15 and older, who commit violent crimes to be tried as adults. But the rest of this is not being done virtually at all.

I think that itself is also important, although it is not the central reason for this juvenile justice legislation. Juvenile court judges transfer just under 3 percent of violent juvenile offenders to adult criminal court, according to the General Accounting Office. That is really too low.

And according to the General Accounting Office of the Federal Govern-

ment that does this survey, most juveniles prosecuted for serious offenses in adult criminal courts are convicted and incarcerated. Barely one-third of juveniles prosecuted for serious offenses in juvenile court are convicted and confined. Probation is the most common disposition by juvenile courts, and it is what should be the case for first time offenders for these lesser offenses, but not for the violent perpetrators, particularly repeat violent perpetrators of crimes who happen to be, just happen to be 14, 15, 16 or 17 years of age.

Now, having said all of that, I do not want anybody to be mistaken. Again, this is not the entire picture. We need to revive the juvenile justice system. There is a need for national leadership. While it may be a State matter, there is a need to have incentive grants, there is a need for a carrot to encourage the States to do what has to be done and to give some resources, albeit limited for the next 3 years, to the States and local communities to revive these systems and make them work again.

If we do not do that, the increased numbers of juveniles that are coming of age in the population most likely to commit violent crimes is going to knock our socks off in terms of what happens to the violent crime rate in this Nation over the next few years. The FBI, everybody concurs in that fact.

Now, let me step back for a minute and try to put this into another perspective. I have already said prevention is important, and it is. The Federal Government today has \$4 billion worth of prevention for at-risk youth. Four billion of money is spent every year. I cannot say it is all spent wisely. There are 130 different at-risk youth programs today in the Federal Government, 131 of them. There are somewhere around 13, 14 agencies of the Federal Government that are administering these programs. But there are that many. That is \$4 billion worth every year.

And I support doing that. I think we should consolidate some of these programs, reexamine them, probably do something differently with them. Maybe give a lot more discretion to the States, counties and cities as to how to use it. But prevention is important, and education and mentoring and all those things are important.

Also involved is a bill that will be coming out here shortly to the floor from the Committee on Education and the Workforce, I believe they are marking it up in the House tomorrow, on the Office of Juvenile Justice and Delinquency Prevention. It is a reauthorization, and it will provide at least another quarter of a billion, \$250 million or more, for prevention programs. That is a very important piece of legislation and I wholeheartedly support it.

Again, it is balance. We need balance. We need prevention but we also need to make the juvenile justice system work. We need to make the whole justice sys-

tem work. We need to have swiftness and certainty of punishment, which is the truth-in-sentencing part of this, making violent criminals serve most of their sentences, sending a deterrent message out there again to the adult criminal population and to the juveniles that when they do the crime they are going to do the time. When they do a crime, even a misdemeanor crime and they are a juvenile, there will be some punishment. There will be some consequence, some sanction involved in that.

Will that solve all of the problems? No. But we will be a lot better off if we do it, because the system does not have that today. It used to have that in the system and it just simply does not.

Now, in addition to prevention, in addition to that we have a bill coming out of the Subcommittee on Crime later this summer dealing specifically with gangs, expanding the interstate efforts the Federal Government is making in helping the States and the counties and the cities fight gang problems, witness intimidation being a big part of that, problems with the wiretap laws being a part of this. There are a number of things that need to be addressed specifically because gangs are peculiar and present peculiar problems.

And then, not the least of all, this is a concern I have, and I think all of us share, over the relationship of violent youth crime to drugs and drug trafficking.

Our committee has the oversight of the FBI and the Drug Enforcement Administration, among other things, and I have been intimately involved for a number of years with the war on drugs. It disturbs me when I read about our Office of Drug Policy issuing a statement like they did last year, that the term "war on drugs" is not appropriate.

I think it is very appropriate. We need to be conducting a war on drugs. We are truthfully not doing that today. We do not have a mission, we do not have a defined plan that we can execute that says when this is accomplished, we have won the war.

We know the use rate among young people is skyrocketing today, of cocaine and marijuana, and the sale of those drugs and the street crime associated with it is staggering and it is a big part of this overall picture. We have a lot of laws on the books but we are not doing a very good job of enforcing them, and we are doing a very poor job of education and prevention.

What strikes me that is similar about this part of the picture to the juvenile crime bill that we just put through is the fact that we get into debate over these matters and it is an either/or proposition for too many people. I have a lot of folks, a lot of my colleagues say to me, "Gosh, on the juvenile justice bill we do not have a prevention component in it." That bill is not designed for the prevention side of this. That does not mean we do not want prevention assistance in legislation, but that is not what the juvenile

justice bill is about. It is to repair a broken juvenile justice system.

Well, in a drug war the same can be said. I hear a lot of people say, and a RAND study recently said that it is more cost-effective to treat, to treat those who have drug habits and are addicted, than it is to incarcerate or put people in jail who use drugs. Well, we do not put people in jail because they use drugs; we put people in jail who commit drug trafficking offenses, and usually pretty darned large quantities, quantities large enough to be concerning a lot more than themselves and their own personal use.

We need to do both. We need to have a balanced approach. We need to have drug treatment, but drug treatment does not stop drugs from getting to a young person who has never used them before. We need to do that. That is the single biggest problem on the street today in America, is the fact that we have so much exposure to cheap drugs, cheaper than ever.

What we have seen on the drug scene in the United States over the last few years is that, and particularly cocaine, which is the number one drug of choice in the United States, and to some extent with heroin, the quantity is way up and the price is way down. It is cheaper than ever, and, therefore, more people are going to use it. The only way we can get our arms around this matter is to do things, several things.

□ 1945

One is we have to interdict drugs coming to this country in much larger quantities than we are. That is, we have to intercept them and capture them and stop them from getting here. That may be done in foreign countries. It may be down in Colombia or in Peru before those drugs get here, before they are made into the crack or the powder form that is used on the streets. It may be done in transit across the Gulf of Mexico or the Pacific Ocean or through Mexico, however it is coming here, by air. But we need to do a much better job of interdicting and stopping drugs from coming in here.

We need to set a policy that says how much we are interdicting. DEA, the Drug Enforcement Agency, sort of estimates that we are interdicting about a third of the drugs, maybe 30 percent, but nobody knows what we are interdicting. What we do know is that the numbers, the quantity percentage-wise at least, is way down from what it was in the late 1980's and the early 1990's that we are interdicting, and what we are seeing is that we are paying a very big price for that. Again, a low price for the drugs, a big price in terms of society.

What we have not done and we need to do and I challenge this administration to do, and that is to set a standard, a goal, or an objective for interdiction to win the war on drugs, that portion of it dealing with stopping the flow from coming in here or slowing it down, set a goal by a certain year, the

year 2000, 2001, 2002, something very soon, of interdicting at least 80 percent of the drugs coming into this country.

Because they tell me if we can interdict or we can stop the flow into this country of 60 percent or better of the cocaine and heroin and that drug market that is the big bulk of it from coming here, we will affect the price, the price will go up, and thereby the amount of use will go down. Fewer kids will get onto drugs to begin with. And if we can get it up into that 75-80 percent range, we will make the job of law enforcement and education and all the other efforts we have to prevent kids from getting on drugs much more effective and much more manageable.

But we need to set the goal. We need to say there is a defined objective here. There is over 500 metric tons of cocaine I am told that reach our shores every year. That is an incredible amount. 500 metric tons. I cannot even imagine that. That is what is happening today. We need to knock off a whole lot more than we are today, 80 percent of that flowing our way, and then set that as a goal.

Then we need to provide the resources to do that, to the Coast Guard, to the Customs, to the military. The Air Force, the Army, the Navy need to be given the resources to stop this flow in the right way and the authority to do it in the right way.

Right now, for example, the Coast Guard flies drug intercept missions in the Gulf of Mexico and the Caribbean on C-130 planes. They have 10 or 12 of them. They do not fly at night when these drugs are being transported by these small vessels because they do not have any night vision. And vessels from Colombia to Puerto Rico to the Virgin Islands, wherever they come out, these smaller boats are smart. The guys running those, this is organized crime doing this. They have got it figured out.

They just run the boats really fast at night. And during the daytime with the whitecaps down there, they slow the boats down or hardly run them at all and we cannot spot them with the naked eye from an airplane. We do not have the equipment to be able to see them. These C-130 planes that the Coast Guard has do not have any forward-looking infrared, night vision, the type of thing we would expect them to have. So they cannot see at night, they are not equipped to do it, and they do not fly at night.

Now that is tying more than one arm behind the Coast Guard's back, and they have the primary interdiction responsibility at sea. That is just one example of the many things that need to be done to combat this war on drugs and to get at the major drug traffickers in the area of stopping the drugs from getting here.

Once we look at that side of the equation, which is the supply side, we also need to look at the demand side. The demand side is the side where we have the users. Education and the mes-

sage on not using drugs is not being out there. The leadership of the Nation is not speaking out as effective as it should be. Some of us are working with our leadership on the Republican side, and I certainly hope that the Democrats will join us in all of this, on developing a broad plan over the next couple of years to join with the administration, I hope, in making the awareness of this whole issue much greater than it has been so we can set a defined way when we have at home won the war on drugs, not just interdicting 80 percent, which will be extremely helpful and absolutely essential, by the way, to be able to get the numbers down into some defined basis for use at home that are meaningful, but to get the use rate among young people down from the level now, which is somewhere hovering around 6 percent to somewhere in the neighborhood of 3 percent, which is back where it was 20 or 30 years ago.

While that is something I do not want to see, that pie use rate, it is at least manageable. It is like the statistic on murders and the crime rate, the violent crime in this country, much, much more acceptable rate back in the 1960's per capita of our population than it is today. We need to get the drug use rate way down, especially among young people.

One of those ways is to have a television campaign, and I do applaud the President for his support of getting some funding out of Congress to do some paid television advertising to get the message out about the badness and the thing they should not be doing when drugs are offered to young people. I think, unfortunately, as much free television as I would like to see the media offer, and I believe more of them are willing and receptive every day and we need to have more drug coalitions that my colleagues join in their communities in producing to get the media, to get the local television and radio stations in particular and newspapers involved in spreading the word about how bad drug use is to young people and to get into the schools and to get into our businesses of having drug-free workplaces more acceptably and more frequently. As much as that is important in this process, we need to stimulate this with a concerted, combined effort that gets us into the position where we can have a reduction and overall campaign that does this.

But it is not in a vacuum. We cannot put all our marbles into one basket. And, yes, treatment is important. For those who are addicted, those who are on the drugs, whether they are on the streets as relatively minor offenders or whether they are offenders at all in terms of criminal activity, treatment is important, and we should not forget them and we should put a balanced amount of resources into them.

But to anybody who says to me that there is too much money being spent on interdiction and other things, law enforcement in the drug area and not

enough on treatment, I would say that is just the opposite of what the case is. Less than 10 percent of the Federal drug fighting budget of this Government, less than 10 percent is used on interdiction, on stopping drugs from getting here, on helping the Coast Guard or the Army or the Navy or the Customs or the DEA or anybody else stop the drugs from getting here in the first place, less than 10 percent.

That is not a balanced approach. We need to beef up our interdiction efforts. We need to stop as much of the 500-plus metric tons from getting here as humanly possible, set a target for doing it, like 80 percent, go after it with all the power and resources of our Government. If we need more airplanes and ships and manpower days, and I think we certainly do, we need to provide that and we need to be creative about it. And at the same time, we need to have an all-out effort and education directed at our kids at every level, from the grass roots in the community to a national television advertising campaign, some of it paid for and some of it voluntarily done, because it cannot all be one way or the other. We need to have national figures, sports figures and figures whom young people look up to, be more forceful with their support for this program. We need to have rock stars and music stars and movie stars, who kids identify with, get with the program and join us in this. And we need to have the business interests, the moguls of television and movies and music, join in this effort. They should establish drug-free workplace programs for all of the recording studios in this country and all of the movie studios in this country. They should have drug-free workplaces and drug testing for their employees and their artists, just as the businesses of this country have done in many communities today to establish drug-free workplaces. There has to be a unified balanced approach to win this war on drugs. There has to be. And, yes, drug treatment is a part of that too.

That brings me back to violent juvenile crime. So much violent juvenile crime is based on drug trafficking. There is no question about it. If we do not get at the issue of drugs, then we cannot expect to really get the numbers of violent crimes committed by young people and committed against our citizenry down to a norm that was in the range that it was back years ago on a percentage of our population.

At the same time, though, we cannot lose track of the fact that there are other missing pieces. We just do not go after drugs and just after the drug kingpins, which we all want to do, we also correct broken juvenile systems around the country, we put consequences back in it for juveniles, we go after those who have done these crimes in the streets, particularly in the United States. There are organized criminals distributing the drugs, ordering the murders. There are gangs that need to be addressed. All of this needs

to be done in a composite. There needs to be an overall view of this taken, not one piece of the puzzle to the exclusion of another.

I did this special order time tonight because I wanted to talk about crime in America and to put it in perspective. That is the primary thrust of it. I do not want to diverge very much from it, but I have a few minutes remaining and I do want to address another subject very briefly.

Before I leave crime, though, I have got to say that there are hundreds of thousands of men and women in this Nation every day working on the streets of the United States and in many foreign countries to try to protect us from these criminal elements, from these drug dealers, men and women wearing the uniforms of the police and law enforcement, men and women serving as judges and probation officers, men and women who have worked long and hard hours in many, many ministerial duties all over this country trying to protect us and giving of their lives in many cases to do so.

While we read about the problems we may have with an FBI crime lab in a famous case like the McVeigh trial, which did apparently turn out well in the end, at least most Americans I think believe justice was done, while we do have our problems, occasionally reading about a Waco or something else where a mistake is made by law enforcement, by and large, those men and women have been doing an outstanding job for our Nation; and we should be behind them, we should be supportive of our police and our law enforcement and our justice officials at all levels.

Where there are those who carry on activities we do not approve of, we have got to let the public know and we have got to bring them to account. But by and large, they are doing a magnificent job, and we need to support them, both from the standpoint of Government and the public. And where they are the silent heroes, we need to applaud them wherever we get the opportunity.

#### SUPPORT HELMS-BURTON OR LIBERTAD ACT

There is a criminal south of my State of Florida a few miles by the name of Fidel Castro, and I cannot let the evening go by without raising the fact that he has been in power for 38 years and he has strangled freedom in that tiny island and we have a very, very difficult situation still going on with one of the few dictatorial regimes, professed communist regimes left in the entire world just 90 miles off our coast.

The reason I raise it tonight, though, is not simply because I do think what he does rises to the level of criminality, much like those who are the drug lords and the major violent criminals perpetrating these horrendous crimes in the United States, but because in a few days the President of the United States has an opportunity again to enforce a portion of a law designed to bring down Castro's regime and his dic-

tatorship; and I fear, based upon representations the President has made, that for the third consecutive time, he is going to pass that opportunity by. I think that the public needs to hold the President accountable and there needs to be a more thorough debate on this subject, and I am dedicated to the proposition of making that debate occur.

Just to bring everybody up to speed on what I am talking about is that Castro benefits from unjust enrichment by using property confiscated from individuals and private corporations that he confiscated and he stole when he came to power years and years ago. This property was owned by individuals and corporations of American citizens, of U.S. nationals. Many of the major companies of the United States owned businesses in Castro's Cuba before he became the one who is in charge down there in his dictatorship.

We passed a piece of legislation not too long ago in the last Congress called the Helms-Burton or the Libertad Act that codifies all existing Cuban embargo executive orders and regulations, denies admission to the United States to aliens involved in the confiscation of U.S. property in Cuba or the trafficking of confiscated U.S. property in Cuba, and allows, and this is the important one here, allows U.S. nationals to sue for money damages in U.S. Federal Court those persons that traffic in U.S. property confiscated in Cuba, which is the so-called unjust enrichment issue.

Now I am going to say to my colleagues that this is a problem because the President has been given the power in legislation if he thinks it is in the national interest of the United States and would promote democracy in Cuba to waive the enforcement of this last provision. That is to say, he is not going to let U.S. nationals, American citizens sue in United States court those companies and businesses in other countries like Canada and Germany and France, and so on, who are operating businesses in Cuba today, benefitting from those businesses that are actually owned by the American citizens.

But if the President thinks, and he says he does believe that this furthers the national interest of the United States to not allow this provision to take place, not allow these lawsuits to take place, a huge ability of the United States to both be fair to its American citizens for property being improperly taken from them is withdrawn and withheld, but also a tool to further pressure in a meaningful way Mr. Castro to get him out of office, to get him out of the power structure he has been in for years is lost.

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It is beyond me why the President is about to do that again. He first did it last year about the middle of the year, around July 4. He waived it again in early January of this year. And I believe that he will do it again the week-end of July 4 this year, which is a kind

of ironic time, our national Independence Day, to be running around waiving this provision. I urge him not to waive this. This is title III of the Helms-Burton bill, the Libertad Act. It is critical that this be enforced. Because our allies by the encouragement and the not saying anything to their businesses and companies that are operating and benefiting from U.S.-owned businesses in Cuba are encouraging the use of stolen property and they are encouraging contributions through this method to Castro's economy which otherwise would not be able to sustain this dictator in power. I think it is abysmal and abominable that the President would choose to thumb his nose at this piece of legislation and continue to not let these lawsuits go forward.

Our allies in Europe and in Canada are crying about this. We have seen a lot in the media lately over the last few months that this is terrible, that somehow we are doing something against them and their businesses and that we are interfering with trade and we are doing all kinds of things. Mr. Speaker, it is really not the case.

The case is that there is nothing unfair in my judgment, and I would not think anybody else's, to allow a business interest in the United States that is properly and legally owning, and recognized by international law as owning a business in Cuba from suing in United States court a foreign business, not the government but the business, from Canada or Europe or wherever who is doing business here in the United States as well, that is why the courts of the United States would have jurisdiction, suing them in United States Federal Court for the unjust enrichment, for the gains, the profits they are making on the American businessman or his business's property that he owns. It just makes common sense to. It is good foreign policy. It should be good economic policy. The world should adopt it as part of the international accords that exist out there. Certainly it should be our sovereign right, and what Congress is intending to do and was intending to do with the Helms-Burton Act, to let American businesses collect rightfully what is theirs in United States courts if they have the right to do so, if they have jurisdiction to do so.

I know it is a little complicated, but if a foreign business is doing business in the United States, the law that Mr. Clinton is saying he is not going to let happen, that we passed out here, if he would let it happen, would allow American businesses that own property in Cuba, internationally recognized that they still own it, that was confiscated years ago, would allow them to sue for this extra profit, this unjust enrichment being made on their property, with contracts these businesses in the other countries have in Cuba, that they have to operate or run or manage or sell products through the businesses that are American-owned but not in American hands that are still in Cuba.

If the President does not change his ways, if he waives for the third consecutive time the title III provisions, it is my intent when this Congress reconvenes after the July 4 recess to introduce legislation that would abolish his right to make this waiver. I am all for giving the President tools to operate under, but when he abuses it as he apparently is about to do for 3 consecutive times without making a case that I think is justifiable or this Congress should think is justifiable for doing that, then it is time for this body to withdraw the power of the President to make that waiver. It is time to let the American national interest prevail over the interests of some of our allies and their rather belligerent voices that are about all we are hearing today in the media. America first in this case. There is no reason why it should not be first. There is no reason particularly when we have got a dictator like Castro ripping us off and then having our allies' businesses stick it in our faces even more and rip us off a second time to the benefit of Castro. That is absolutely the height of absurdity. I cannot see how waiving this provision and letting them continue to do this is in the national interest of the United States or in any way furthers democracy in Cuba. I just cannot see it. I would suggest tonight as we are talking about crime and drugs and heinous things that it is perfectly appropriate to talk about trying to do something to get rid of Castro, free the people of Cuba and help the American businessman and citizen recover some of his lost property that is down there right now. I am again announcing that I intend to introduce such legislation.

To bring this back full scope before I yield back my time, I want to say again that as the chairman of the Subcommittee on Crime in the House, I took out this time this evening to paint a broad big picture on the issue of crime in America today. I would repeat for my colleagues who may not have picked up all I have been saying this evening that there is a big picture out there. While the rate of violent crime has slightly declined in the United States marginally over the last 4 years, it is still way too high. We had 160 violent crimes for every 100,000 people in our population in 1960. In the last measurable year, in 1995, we had 685 violent crimes for every 100,000 people; 685 compared to 160 for the same number of people in our population. Now this reduction, this tiny fraction of that, in our country. We have an enormously large proportion of those violent crimes being committed by juveniles under the age of 18, more murders by 18-year-olds than any other age group, more rapes by 17-year-olds, a huge proportion of the violent crime in this country by juveniles, and we are about to see a big, big increase, a 23 percent increase in the number of juveniles in the age group most likely to commit these violent crimes over the next 10 years. I think that if we do not

make steps that correct the problems of a broken juvenile justice system and give law enforcement more tools and get with it on the war on drugs and actually define how we win that war and provide our Coast Guard and our Customs and our law enforcement community, our military with the resources necessary to accomplish those goals and objectives to win the war on drugs, unless we do all of those things, unless we put consequences back into the juvenile justice system so that when a kid vandalizes a store or home they know they are going to get some sanction for that misdemeanor crime, as well as if they commit a violent crime of murder or rape or assault with a gun that they are going to be tried as adults more likely than not and given long sentences, unless we put consequences back into the acts of our criminal laws, both for juveniles and for adults, and mean something about swiftness and certainty of punishment and mean there is a deterrent out there, all of the other things we may do to try to control the problems of drugs and crime in our streets today will be wishful thinking. It does not mean I am against prevention, it means I am for a balanced approach; \$4 billion in prevention programs, I think we should continue a lot of those, we should consolidate them, we should do them, but we should also correct and repair a broken juvenile justice system and we should do something to make certain that we have a war on drugs that is winnable, define the mission and the goal, charge the right individuals with the responsibility to carry out that war in a way that is designed to win it rather than tying their hands behind their backs, give them the resources necessary, put all of this into a comprehensive program over the next 3 or 4 years and just get the job done. It can be done.

We are drowning in a sea of violence, we are drowning in a sea of drugs. America deserves better. We can have it better. We need to pass H.R. 3 in both the House and in the Senate, but we need to do a lot more than that as well.

Mr. Speaker, I appreciate the opportunity to bring this message to my colleagues.

#### RACE RELATIONS

The SPEAKER pro tempore (Mr. METCALF). Under the Speaker's announced policy of January 7, 1997, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, today there was a little bit of history that meant a great deal to me. The last bill we passed was a bill sponsored by the gentleman from Oklahoma [Mr. WATTS], called the Joint Resolution Celebrating the End of Slavery in the United States. I think it is a small gesture, maybe, but it is a very important one for me. It is an important one for a lot of Americans, both black and white, and I was pleased to see that not