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## Senate

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer: Gracious God, You have promised that "In quietness and confidence shall be our strength."—Isaiah 30:15.

Thank You for prayer in which we can commune with You, renew our convictions, receive fresh courage, and reaffirm our commitment to serve You. Here we can escape the noise of demanding voices and pressured conversation. With You there are no speeches to give, positions to defend, party loyalties to push, or acceptance to earn. In Your presence we can simply be and know that we are loved. You love us in spite of our mistakes and give us new beginnings each day. Thank You that we can depend upon Your guidance in all that is ahead of us. Suddenly we realize that this quiet moment has refreshed us. We are replenished with new hope.

Now we can return to our outer world of challenges and opportunities with greater determination to keep our priorities straight. We want to serve You by giving You our very best to the leadership of our Nation to which You have called us. In the name of our Lord and Savior. Amen.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader is recognized. Mr. LOTT. I thank the Chair.

### SCHEDULE

Mr. LOTT. Today, under a previous order, a number of Senators are scheduled to speak in morning business. At 3 p.m., following the allotted morning business, the Senate will begin consideration of Senate Resolution 39, the Governmental Affairs Committee funding resolution, which was reported out of the Rules Committee last Thursday.

As I announced on Thursday, there will be no rollcall votes today during our session, and any votes ordered today will occur on Tuesday, either early in the morning or, more than likely, after the party conference and caucus lunches. I will be continuing discussions with the Democratic leader in the hope of reaching an agreement on the resolution which would allow us to complete action early this week.

In addition, it is possible the Senate will consider the Peña nomination this week. I will notify Senators as to when that nomination is scheduled and when a vote will occur. But I presume that vote would probably not occur before late Wednesday, or Thursday more than likely.

Also, there is a likelihood this week that the Senate will consider the Hollings resolution relating to a constitutional amendment regarding campaign reform.

I thank all Senators for their attention. I suggest the absence of a quorum, Mr. President.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SESSIONS). Without objection, it is so ordered.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 3 p.m., with Senators permitted to speak therein for not to exceed 5 minutes each.

The Senator from California is recognized to speak for up to 2 hours.

### STATE DEPARTMENT EXPLANATION OF MEXICO'S CERTIFICATION

Mrs. FEINSTEIN. Mr. President, Senator COVERDELL may well come to the floor during this period. I hope he does. I will be happy to defer, and yield parts of my time to him as well.

Mr. President, 1 week ago I joined with Senator COVERDELL and Senator HELMS to introduce resolutions of disapproval, to overturn the President's decision to certify Mexico for antidrug cooperation.

Last week I went home and I read the State Department's Statement of Explanation, which is just 1½ pages.

I must say, I read this document with disbelief. At best, this document—which purports to make the case for Mexico's certification—is a fairy tale. At worst, it is a complete whitewash. Today, I would like to take some time and go over parts of it, and indicate my thoughts on some of the subjects mentioned and refute some of the claims.

Let me begin by saying that section 490 of the Foreign Assistance Act requires the President to certify that Mexico has "cooperated fully with the United States, or taken adequate steps on its own" to combat drug trafficking. Despite the best intentions of President Zedillo and the best efforts of the State Department to put a pretty face on the situation, the Department's Statement of Explanation, I believe, defies credibility.

The State Department claims that "The Government of Mexico's 1996 counterdrug effort produced encouraging results and notable progress in bilateral cooperation." The facts tell a different story.

Let me begin with drug seizures:

The State Department's Statement of Explanation indicates that "Drug seizures and arrests increased in 1996."

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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While this is technically true—yes, there was a slight increase in 1996 in both drug seizures and arrests of drug traffickers—that is only because the 1995 levels were so dismal. A larger look of Mexico's record of drug seizures, going back just a few years to 1992, gives a very different perspective.

The 23.6 metric tons of cocaine seized by Mexico, while slightly higher than in 1995, is just about half of what was seized in 1993. So, you see, in 1993 they seized 46.2 metric tons of cocaine. Look how it has dropped off and leveled off since then.

Second, drug arrests did increase modestly in 1996 over 1995. But look back a few years and it tells a more compelling picture. In 1992 you had 27,369 drug arrests. In 1996 you had 11,038. That is not a stepped-up effort, it is a stepped-down effort. So, after a precipitous drop, by more than 50 percent, a barely discernible 5- or 10-percent increase, in my view, is not improvement. They are not encouraging results and there is not notable progress.

Today, Mexico is the transit station for 70 percent of the cocaine, a quarter of the heroin, 80 percent of the marijuana, and 90 percent of the ephedrine used to make methamphetamine, entering the United States.

These statistics reflect, I believe, more drugs flowing into our cities and our communities. How do we know this now? Just look at some of the street prices.

According to the California Bureau of Narcotic Enforcement, in 1993, when Mexican cocaine seizures were near their peak, a kilo of cocaine sold on the streets of Los Angeles for \$21,000. Today, that same kilo of cocaine averages \$16,500, and I am told that in places you can get it for \$14,000 a kilo.

You can see how these prices have dropped. The drop is even more dramatic if you look at black tar heroin, which the DEA says is nearly the exclusive province of Mexican family-operated cartels, based in Michoacan. The price per ounce has dropped from \$1,200 in 1993 to \$400 today.

So today, the street price of black tar heroin has dropped to one-third of its price 4 years ago.

Unfortunately, demand remains high, so when the prices drop, the obvious conclusion is that you have more supply. The falling price can be attributed to increases in the amounts of cocaine and heroin flowing across our southern border. I hardly consider this to be evidence of "encouraging results and notable progress."

When the street prices begin to climb, then I, for one, will begin to believe that the supply is being cut.

So street prices are dropping despite the fact that stepped up enforcement on the U.S. side of the border has resulted in increased seizures.

U.S. border agents at the McAllen, TX, border station seized 176,000 pounds of marijuana in 1996, 20 percent more than in 1993. But the burden of combat-

ing the increased drug shipments falls disproportionately on United States border agents because Mexico does little to enforce the border.

United States Customs and Border Patrol officials have said publicly that Mexican traffickers are today going to extraordinary lengths to move their products. They are constructing secret compartments in 18-wheelers. They are saturating areas with hundreds of mules carrying backpacks with 40 kilos of marijuana each, and even sacrificing large loads of marijuana at the border to allow more valuable shipments of cocaine and heroin to slip through behind them. And they have begun to use sea lanes in much greater proportion.

For the State Department to state that there has been improved performance by Mexico in intercepting drugs at the border is incomprehensible to me. Low seizure figures, low arrest figures, falling street prices in our cities—these are hardly indications of full cooperation by Mexican authorities in combating drug trafficking.

Let me speak about the cartels in Mexico. The State Department's Statement of Explanation touts the arrests of "several major drug traffickers," including Juan Garcia Abrego, leader of the Gulf cartel, Jose Luis Pereira Salas, linked to the Juarez and Colombian Cali cartel, and Manuel Rodriguez Lopez, linked to a minor operation called the Castrillon maritime smuggling organization.

But who the Mexicans fail to capture tells a much more important story. In fact, the State Department admits as much when it says, "the strongest groups, such as the Juarez and Tijuana cartels, have yet to be effectively confronted."

Let me repeat that: "the strongest groups \* \* \* have yet to be effectively confronted."

So here is the State Department explaining to us that Mexico has fully cooperated with the United States, and yet telling us in the same breath that Mexico has taken no serious action against the organizations and individuals most responsible for the bulk of the drug trafficking.

This is also not how United States drug enforcement officials describe the efforts in Mexico. Let me share with my colleagues what our own drug enforcement officials say about how fully Mexico is cooperating in antidrug efforts.

DEA administrator, Thomas Constantine, has described the Mexican drug cartels, in a statement he made to a House committee the week before last, as "the leading organized crime organizations in the Western Hemisphere, and for some reason," he continues, "they seem to be operating with impunity."

His testimony is a chilling account of the extensive operations of the major Mexican drug cartels and how corruption within Mexican law enforcement agencies has allowed the cartels to conduct their deadly trade with virtual

impunity. He also described how the Mexican drug cartels are expanding their criminal reach into the United States.

As we debate whether or not to disapprove of Mexico's certification, I hope all of my colleagues will take the time to read Mr. Constantine's testimony. It makes the case better than anything I have seen that Mexico's efforts have, in fact, not met the standard for certification.

Mr. President, I ask unanimous consent that Mr. Constantine's testimony be printed in the RECORD after my remarks.

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

(See exhibit 1.)

Mrs. FEINSTEIN. Mr. President, I understand the Government Printing Office estimates that it will cost \$1,152 to print this testimony in the RECORD. I also ask unanimous consent that the Government Printing Office estimate be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mrs. FEINSTEIN. I do this, Mr. President, because I think this is testimony that is crucial to a decision that will shortly be before the Senate. This is our No. 1 drug enforcement agency in the United States, and I think it is important that the testimony of the head of that agency be read by Members considering this issue.

Perhaps the most powerful of all cartels today is the Amado Carrillo-Fuentes organization, also known as the Juarez cartel. This organization operates out of Rancho Hacienda de la Natividad today, near Cuernavaca, Morelos, outside of Mexico City. It runs multi-ton quantities of Colombian cocaine toward Mexican distribution sites and then into the United States.

The organization runs these drug trafficking operations in Chihuahua, Mexico City, Mayarit, Nuevo Leon, Oaxaca, Sinaloa, Sonora, Jalisco, Baja, CA, Tamulipas, Veracruz, and Zacatecas, among others.

Despite the "encouraging results and notable progress" cited by the State Department, the Juarez cartel is today as strong as it has ever been. Worse, it is spreading its tentacles into the United States, and this concerns me deeply. One law enforcement official told me it controls a majority of the cocaine in Los Angeles.

Operations linked to the Amado Carrillo-Fuentes organization have today been identified in the Texas cities of El Paso, Houston, McAllen, Midland, Odessa and San Antonio, and in California's major cities such as Los Angeles, San Diego, Sacramento; also, in Nevada's major city, Las Vegas; Illinois' major city, Chicago; the major city in the State of New York, New York City; and Florida's major city, Miami.

Do we know who the leaders of this cartel are? Yes, we do, and so do the

Mexican authorities. Amado Carrillo-Fuentes heads the organization and controls the cocaine, marijuana and heroin transportation to the United States. His brother, Vincente Carrillo-Fuentes, is primarily responsible for the group's marijuana trafficking operation.

These men are considered by President Zedillo to be Mexico's primary national security threat. Amado Carrillo-Fuentes has been indicted in Florida and in Texas on heroin and cocaine charges. Yet, he has never been tried in Mexico, nor has an extradition request for crimes committed in the United States been honored.

Have the Mexican authorities taken any action whatsoever that has hampered the operations of the Amado Carrillo-Fuentes organization? The answer to date is no. In fact, there is ample evidence to show that the Carrillo-Fuentes organization has federal police and government officials on their payroll, including the former head of the counternarcotics effort in Mexico, General Gutierrez, who was arrested 3 weeks ago.

Just a few days ago, Mexico did try to arrest Mr. Carrillo-Fuentes. Let me read from the Los Angeles Times, dated Saturday, March 8:

In an apparently stepped-up search for alleged drug lord Amado Carrillo Fuentes, more than 100 troops backed by light tanks commandeered a luxury hotel in Guadalajara late Thursday night. . . .

Carlton Hotel manager Carlos Hodria said Friday that about 150 soldiers arrived unannounced in trucks and tanks and that the operation lasted about 40 minutes, jarring most of the hotel's personnel and 296 guests. He quoted military officers as saying they were "searching for a person."

Obviously, when you roll tanks up to a hotel, whomever you are looking for is going to know that and be long gone. To my knowledge, no arrests were made.

The other major cartel at work in Mexico is the Arellano-Felix organization, also known as the Tijuana cartel. This organization transports multiton quantities of cocaine and marijuana and large quantities of heroin and methamphetamine into the United States where it is distributed by agents employed by the cartel in this country.

The cartel has its base of operations in Tijuana, but it is active in Sinaloa, Jalisco, Michoacan, Chiapas, Baja California Norte and Baja California Sur. It is of particular concern to me because Southern California is the primary entry point of most of the drugs trafficked by this organization.

The Arellano-Felix organization has spread its influence deep inside American cities, often recruiting street gangs to do its distribution and enforcement work. Orders are given to these agents in U.S. cities directly from Tijuana through sophisticated telecommunications networks.

Do we know who the leaders of the Arellano-Felix organization are? Again, we do, and so do the Mexican authorities.

Alberto Benjamin Arellano-Felix is the leader of the organization and has overall responsibility for management of the cartel's drug-trafficking operations.

His brother, Ramon Eduardo Arellano-Felix, is responsible for the group's security operations, which include well-trained paramilitary-style forces who assassinate rivals and traitors.

Has any action been taken by the Mexican authorities to rein in the operations of the Arellano-Felix organization? Have there been any arrests of its senior leaders?

No, the State Department informs us. This cartel has "yet to be effectively confronted." Is this an example of the "encouraging results and notable progress" cited by the State Department?

The Amado Carrillo-Fuentes cartel and the Arellano-Felix cartel, to the best of my knowledge, are operating with absolute impunity. But even the smaller cartels are hardly touched by Mexican authorities.

I think two recent incidents illustrate just what sort of cooperation the United States is receiving from Mexico with respect to the cartels.

On February 26 of this year, the Washington Post published an hour-long interview—hour-long interview—with Miguel Angel Caro Quintero, leader of the Sonora cartel, who is under indictment in the United States for crimes committed in the United States and for whom the United States has requested extradition.

Mr. President, I ask unanimous consent that this article be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 3.)

Mrs. FEINSTEIN. Mr. President, as he told the Post:

I go to the banks, offices, just like any Mexican. Every day I pass by roadblocks, police, soldiers, and there are no problems. I'm in the streets all the time. How can they not find me? Because they're not looking for me.

According to law enforcement, the Sonora cartel cultivates, smuggles, and distributes heroin and marijuana to the United States, as well as transporting Colombian cocaine. It has operations reaching into Arizona, Texas, New Mexico, California, Illinois, Michigan, Minnesota, Nebraska, Tennessee, North Carolina, South Carolina, and Louisiana.

The Washington Post found him, but the Mexican police, up to the last few days, were not even looking for him. Perhaps the State Department would explain how this qualifies as "full cooperation" with the United States. I do not see it.

The other incident was a typical February story. I sometimes wish February would last all year round because the pressure of the March 1 certification decision seems to produce all kinds of results that we are unable to

get the rest of the year, but on March 2, frequently it is business as usual.

Just hours before the President's decision on certification was to be made public, the Mexican Government announced with great fanfare the arrest of Humberto Garcia Abrego, a leader of the Gulf cartel.

Leave aside the question of why Mexican authorities were unable to arrest this man the rest of the year but miraculously found him on February 27. What happened next is critical to the integrity of the effort.

Only hours after the decision to certify Mexico was announced, Humberto Garcia Abrego simply walked out of custody. The Mexican Attorney General's office called his release "inexplicable." You could not write a script that would illustrate our problem with Mexico's inability to deal with the cartels any better than this incident.

Yet, the State Department assures us that there have been "encouraging results and notable progress." Not with respect to the cartels. I sincerely do not believe that the cartels' operations have been altered, reduced or impeded at all.

Those officials whom the cartels cannot buy they kill.

The cartels have unleashed a reign of terror on honest Mexican law enforcement officials. The DEA reports that 12 prosecutors and law enforcement officers have been assassinated in Mexico in just the last year alone, most of them in connection with the Tijuana cartel.

Let's start with an incident on February 22, 1996, just about a year ago. Approximately 40 Juarez municipal police opened fire on agents from the Mexican Attorney General's office, resulting in the death of one commandante and one agent. DEA suspects the local police were providing protection for drug traffickers.

On February 23, 1996, Sergio Aranda Silva, a former operations chief of the Baja federal police, was assassinated.

On April 17, 1996, Mexico City's previous top prosecutor, Arturo Ochoa Palacios, was gunned down while jogging.

May 1996, Mexico City's top prosecutor, Sergio Moreno Perez, was kidnapped with his adult son in Michoacan state. Their bodies were later discovered in a car in Mexico City's suburbs.

June 27, 1996, drug agency commandante Daniel Beruben-Jaime was assassinated in Jalisco.

July 19, 1996, Isaac Sanchez Perez, the former Baja federal police commander, was shot in the back of the head and killed in Mexico City.

August 17, 1996, Tijuana prosecutor Jesus Romero Magana was gunned down outside his home. He was investigating the Arellano-Felix organization.

September 14, 1996, Baja federal police commander Ernesto Ibarra Santes, two of his bodyguards and a cab driver were machine-gunned down in Mexico city.

Ibarra had vowed to go after the Arellano Felix brothers and to purge the federal police ranks of any corrupt federal agents who stood in his way. He held his post for 28 days.

September 21, the body of Hector Gonzalez-Baecnas, assistant to Garcia Vargas, was found in the trunk of another car. Also tortured.

September 23, 1996, the body of 43-year-old Jorge Garcia Vargas, Tijuana district chief of the Federal antinarcotics agency was found in the trunk of a car along with the body of Miguel Angel Silva Caballero, a former Federal police commander. Both showed signs of torture.

November 3, 1996, a former prosecutor named Martin Ramirez-Alvarez was murdered in Tijuana. His wife reported that an unknown number of individuals stopped them in a vehicle utilizing red and blue police strobe lights. They dragged Ramirez-Alvarez out of the vehicle and shot him point blank six times. It is believed the Arellano-Felix organization is responsible for the assassination.

On January 3, 1997, 27-year-old State Prosecutor Hodin Gutierrez-Rico was assassinated in front of his wife and children at his residence in Tijuana. Gutierrez-Rico was investigating the murder of a Tijuana municipal police chief and Presidential candidate Luis Donaldo Colosio. More than 120 spent shells were found on the ground, and his body was deliberately run over several times by a van.

And so it goes. These murders are, to me, the most compelling because their message is undeniable: "Get too close, and you are dead." And not one of these cases has been solved to date. This is why the corruption of the military general placed in charge of the counternarcotics effort is so paralyzing. The question remains: If the highest military man can be corrupted, then who is left?

But Mexico's failure to combat the cartels effectively is having an alarming spillover effect into American cities. Robert Walsh, special agent in charge of the San Diego office of the FBI told my office that all of the major Mexican cartels have members of United States gangs working for them.

These agents distribute the drugs shipped in by the cartels and ship the cash generated from drug sales back to Mexico. They also carry out revenge murders on orders from Tijuana or Juarez.

Prof. Peter Lupsha of the University of New Mexico, who has studied the cartels for decades, says, "I don't believe anyone in La Cosa Nostra could order a murder 2,000 miles away and expect it to be carried out. Carrillo-Fuentes can do that and much more."

That is why the State Department's utter denial that the problem is getting worse is so dangerous. As much as these cartels are destroying Mexico, their reach is expanding. They have agents in many of our large and mid-size cities. Their drugs are reaching

our children. The gangs they hire kill ruthlessly to protect their turf in our cities.

It is no exaggeration to say that the lives of hundreds, if not thousands, of Americans are literally at stake in the war against the cartels. And the State Department's refusal to face up to facts does not protect a single child from the bullets of a drug-running gang or a driveby shooter.

Let me speak about money laundering.

The next item of progress in the State Department's statement of explanation is that "the Mexican Congress passed two critical pieces of legislation which have armed the Government of Mexico with a whole new arsenal of weapons to use to combat money laundering, chemical diversion, and organized crime."

Let us see how good the new money-laundering law is.

It is true that in May 1996, the Mexican Congress adopted a law that for the first time specifically identified money laundering as a criminal act. At that time, Finance Minister Guillermo Ortiz Martinez committed to develop the regulations that would implement this law by January 1997.

The draft of these regulations, which would require banks and other institutions to report suspicious transactions of currency, were due in January. Well, it is now March and the regulations have not been forthcoming.

No doubt, the implementation date of these regulations, now scheduled for June 1997, will slide, as will the issuance of a second set of regulations, governing the reporting of large-scale transactions.

These regulations are essential to combating money laundering. Reporting requirements discourage would-be money launderers, tip off law enforcement officials to unlawful activity, and create a paper trail that can be a powerful investigative tool.

But until Finance Minister Ortiz issues the regulations and they are implemented, it is business as usual. To date, not a single Mexican bank or exchange house has been forced to alter its operations.

And until the regulations have been issued, we have no real way of evaluating the impact of the law. Any law is only as good as its implementation. It is a giant leap of faith by the State Department to cite the passage of a money-laundering law as a sign of major progress when, to date, it has been neither implemented nor enforced.

There are some key questions that must be answered:

Will the regulations prevent bank employees or ministry staff from tipping off drug cartels about investigations?

Second, will the regulations provide immunity for employees who report a suspicious transaction and are acting in good faith? If not, they may be reluctant to report transactions as required, or killed if they do.

Third, will the regulations contain exemptions for any industries? They should not.

In addition, there is a major weakness in the new law in that it does not provide for sanctions against banks and financial institutions that fail to comply with reporting requirements. Without such sanctions, Mexico's money-laundering laws will remain woefully inadequate.

Now, there is a report today in the Financial Times of London that Mexico will introduce its antilaundrying regulations this week. We shall see. Those regulations will need to be evaluated. But why has it taken Mexico until mid-March, and a crisis over certification, to get to this point? That is not a sign of a fully cooperating country.

Meanwhile, massive money laundering continues in Mexico unabated. And it is spilling across the southwest border.

California State Bureau of Narcotic Enforcement Chief George Doane testified last March that "at a money counting and shipping house in the Los Angeles area, agents located \$6 million in cash and financial records in a residence occupied by three Hispanic nationals, indicating that \$75 million had been counted, packaged, and shipped from the residence via a commercial bus company to Mexico."

An analysis done by the DEA of all transactions between the San Antonio Federal Reserve and area depository institutions showed a currency surplus of \$2.96 billion in 1995—a clear sign that cartels have successfully laundered money to their final destination in Mexico.

The DEA's Donnie Marshall told Congress in September that a DEA investigation known as Zorro II in the Los Angeles area "resulted in the arrests of 156 people, the seizure of approximately 5,600 kilograms of cocaine, and over \$17 million in U.S. currency. The majority of this \$17 million was seized as it was being prepared for shipment to Mexico or seized from vehicles that were en route to Mexico."

Marshall also described cambios, or exchange houses outside the banking system, located along the borders of Texas and California, which are a significant factor in the laundering of drug proceeds where Mexican traffickers intermingle cash derived from drug sales with legitimate exchange business. My staff recently visited 22 of these exchange houses.

So the State Department sees encouraging results and notable progress in the area of money laundering as well. I say that today there is no effective effort to deter the laundering of drug money anywhere in Mexico.

#### CORRUPTION

The State Department's statement of explanation sees progress even where—by its own admission—none exists. This is how the Department describes Mexico's so-called progress on combating corruption:

In an effort to confront widespread corruption within the nation's law enforcement agencies, former Attorney General Lozano dismissed over 1,250 federal police officers and technical personnel for corruption or incompetence, although some have been rehired, and the Government of Mexico indicted two former senior Government officials and a current Undersecretary of Tourism.

Now, the sentence, in a sense, refutes itself. When you say that some have been rehired, of course, if they were innocent, we would want them to be rehired. But if they were guilty, we would want them to be prosecuted. So let's look and see what happened.

According to the DEA, of the 1,250 officers dismissed for corruption, not a single one was successfully prosecuted—not one.

The rash of murders of prosecutors and law enforcement officers in Tijuana is a case in point. These assassinations have been made possible in large part because the Tijuana police have been so thoroughly corrupted by the Arellano-Felix organization.

According to the Los Angeles Times on March 3, 1997, court papers recently filed in United States district court by the Mexican Government in an extradition case contain testimony to the effect that—and let me remind you that this is from court papers submitted by the Mexican Government—"the state attorney general and almost 90 percent of the law enforcement officers, prosecutors, and judges in Tijuana and the State of Baja California . . . are on the payroll" of the Arellano-Felix organization.

In the same San Diego court documents, a former presidential guard, army lieutenant Gerardo Cruz Pacheco, told how he recruited soldiers to unload drug shipments and helped Tijuana cartel gunmen assassinate Baja police commander Ernesto Ibarra Santes in September.

The Federal judicial police have been so corrupted by the cartels that it is sometimes difficult to distinguish between them and the criminals. That is why some were encouraged by the prospect of increased participation of the Mexican military, which has not been so tainted by corruption, in the anti-drug effort.

But that's why the startling revelation about Gen. Jesus Gutierrez Rebollo, the head of the National Institute to Combat Drugs—Mexico's top counternarcotics official—who is a 42-year veteran of the armed forces, has cast grave doubts upon that hope.

When the Mexican Army planned a raid of the wedding of the sister of Amado Carrillo-Fuentes, the drug lord had been tipped off in advance, some say by General Gutierrez himself. As a result, he escaped arrest by leaving early or not attending. But Mexican troops found federal police providing protection for drug traffickers at the wedding.

And most concerning to me is that corruption is spreading rapidly across the border into the United States. For example:

In Calexico, CA, former INS inspector Richard Felix admitted to FBI agents that he pocketed up to \$500,000 in bribes for permitting loads of cocaine and marijuana to pass uninspected through his port of entry lane.

In El Paso, former Customs and INS inspector Jose Trinidad Carrillo gave drug traffickers a price list for his help in getting drugs through his border-entry lane: \$10,000 per car, or \$40 per pound of marijuana and \$250 per pound of cocaine.

Stories of officials of U.S. border towns being bribed are now surfacing. Some of this I heard myself in the testimony of a border rancher to the Judiciary Committee last year.

President Zedillo appears to be trying his best to fight drug trafficking, and he has honest people on his side, like Elvira Ruiz, one of the few female police chiefs in Baja, whose life has been consistently threatened by the cartels.

But the efforts of these people are unfortunately being completely overwhelmed by the uncontrollable tide of corruption.

The arrest of General Gutierrez has been cited by the administration as evidence of the Mexican Government's commitment to fight corruption. But the way in which this situation was handled raises serious questions about Mexico's willingness to cooperate with the United States.

On February 6 of this year, Defense Secretary Enrique Cervantes Aguirre confronted General Gutierrez, asking him to explain how he came to live in an apartment that was beyond the means of his salary. The general began suffering a heart attack and was placed in the hospital. After 12 days of investigating, on February 18, Defense Secretary Cervantes had Gutierrez placed under arrest for accepting bribes from the Carrillo-Fuentes cartel.

Yet during that entire 12-day period, the Mexican Government gave no indication to the United States that it suspected that its top drug official was corrupt. In that time, U.S. officials continued regular contacts with Gutierrez' National Institute to Combat Drugs, not knowing that its operations were directed by a man in the pocket of drug kingpins.

General Gutierrez had been in Washington shortly before he was first questioned about his spending habits. He met with our drug czar, Gen. Barry McCaffrey, who called him a man of absolute, unquestioned integrity. Why would Mexico allow Gutierrez to visit Washington when he was suspected of corruption, and why—at the least—would they not alert the United States side?

Our own drug enforcement officials have been forced to conduct damage assessments to determine how much and what kind of intelligence was provided to the general, and perhaps passed right onto the Amado Carrillo-Fuentes. We are left to worry that the lives of our agents in the field and our informants have been placed in jeopardy.

So we can praise the Mexican Government for arresting Gutierrez, but their delay in notifying the United States of their suspicions about the general begs an important question: Is this a sign of the full cooperation for which Mexico has just been certified?

#### COOPERATION WITH U.S. LAW ENFORCEMENT

The State Department's statement of explanation then goes on to describe the extensive cooperation that has taken place between the Mexican and United States Governments:

The United States and Mexico established the High-Level Contact Group on Narcotics Control (HLCG) to explore joint solutions to the shared drug threat and to coordinate bilateral anti-drug efforts. The HLCG met three times during 1996 and its technical working groups met throughout the year. Under the aegis of the HLCG, the two governments developed a joint assessment of the narcotics threat posed to both countries which will be used as the basis for a joint counter-drug strategy.

All the high-level meetings in the world don't amount to a hill of beans unless there is cooperation and coordination on the ground between law enforcement agencies of the two sides.

Once again, the State Department's assertion that these meetings are a sign of real progress misses the point. Whether or not our leaders can work together is less important than whether our cops can work together.

And plainly, at the moment, they cannot. Given the staggering level of corruption in the Mexican police, it is no wonder that DEA Administrator Constantine told the House Committee last week: "In short, there is not one single law enforcement institution in Mexico with whom DEA has an entirely trusting relationship."

That statement by itself should call into question Mexico's qualification to be certified. It is echoed by law enforcement agents on the ground:

On March 7, 1997, Ed Ladd, president of the California Narcotics Officers' Association, issued a statement in which he announced that the association's board had voted unanimously to support congressional efforts to overturn the decision to certify Mexico. This vote, Mr. Ladd said, "is based on our longstanding experience with the widespread corruption and lack of cooperation shown by the Mexican government."

Mr. President, I ask unanimous consent that the full text of the statement of Ed Ladd, president of the California Narcotic Officers' Association, be included in the RECORD at the conclusion of my remarks.

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

(See exhibit 4.)

Mrs. FEINSTEIN. T.J. Bonner, president of the National Border Patrol Council, the union which represents nearly 5,000 Border Patrol agents, told my staff on March 4, 1997:

The level of trust for Mexican authorities is almost non-existent. He said that "the lack of cooperation includes failure to provide assistance, aiding and abetting criminal

activity, and even acts of aggression against Border Patrol Agents." He described U.S. agents observing Mexican officers who were clearly escorting aliens and drug smugglers.

The police chief of El Centro, CA, Harold Carter, told my staff that his officers are very leery of who they can trust in Mexico.

These are the views of our law enforcement officers. But the question of whether Mexico is fully cooperating with the United States can also be easily answered by looking at Mexico's policies on working with DEA agents. In this area, there have been three significant failings.

One was the failure of the Mexican Government—the same one that has just been certified as fully cooperating—to adequately fund and staff the binational border task forces that had been agreed upon by the high level contact group.

What good are high-level meetings that produce agreements on cooperation if one side then fails to live up to its end of the agreement?

Second, Mexico has hampered the ability of the United States military to contribute to interdiction efforts. Mexico refuses to allow United States Navy ships on patrol for drug smugglers in the Pacific to put into Mexican ports to refuel without 30 days notice—and without paying cash. As the cartels increasingly turn to sea-routes to smuggle their drugs, this policy seriously hampers our ability to stop them.

Also, overflights by U.S. reconnaissance aircraft are still under negotiation. These flights would enhance the ability of both sides to find and disrupt drug shipments.

The third major failing has been Mexico's refusal to allow United States drug enforcement agents to carry sidearms to protect themselves while on the Mexican side of the border. As a result, Mr. Constantine had no choice but to suspend operations in which DEA agents cross the border, because they cannot protect themselves.

In the last several days, there has been a flurry of meetings between American and Mexican officials. Did the United States gain any concessions? Well, Mexican officials were quoted as saying that "the rules have stayed exactly where they are"—which means no sidearms. There you have it. Full cooperation.

#### EXTRADITIONS

The State Department's statement of explanation makes another astonishing claim on the subject of extraditions. It says:

The Government of Mexico established the important precedent of extraditing Mexican nationals to the United States under the provision of Mexico's extradition law permitting this in "exceptional circumstances."

Here is my understanding of the actual facts:

First, Mexico says it has changed its policy to allow the extradition of Mexican nationals to the United States. Of course, we are talking about Mexican nationals who are wanted for crimes committed here in the United States.

Second, to my knowledge, the Mexican government has sent three Mexican nationals to the United States. One was Juan Garcia Abrego, head of the gulf cartel, but he was expelled, not extradited, because he held American as well as Mexican citizenship. The other two were for murder and sexual abuse, not for drug charges.

Third, to date, Mexico has never—never—extradited a single Mexican national to the United States on drug-related charges. That, I believe, is a fact.

Now the Mexican Government says, and the State Department apparently believes, that Mexico is prepared to extradite Mexican nationals on drug charges in "special circumstances."

If this is truly a change of policy on the part of Mexico, let us see results. There are 52 outstanding extradition requests for Mexican nationals wanted on drug charges. Mexico should honor these requests now.

It should be pointed out that these extradition requests are for crimes committed in this country. How can a good friend, ally, and neighbor deny extradition of 52 people wanted for drug-related crimes committed here, and the statement still be made that they are fully cooperating in our antidrug efforts?

A good place for Mexico to start would be with Francisco Arellano-Felix of the Tijuana cartel, who is currently in custody in a Mexican prison and wanted on narcotics charges here in the United States. Another good start would be Miguel Caro Quintero, who walks the streets of Sonora without fear of arrest and grants interviews with the Washington Post. He has four indictments pending against him in the United States.

Mexican nationals wanted on drug charges is clearly the highest priority. These include many of the drug kingpins. But there are other sensitive cases as well that need to be resolved.

John Riley Henrique was indicted by a Federal grand jury in the eastern district of California for trafficking at least 150 kilograms of cocaine from Mexico to the United States. Henrique, an American citizen, is thought to be connected with Miguel Angel Felix Guillard, the mastermind of the 1985 murder of DEA Agent Enrique Camarena.

Law enforcement sources told my office that John Riley Henrique was detained by Mexican law enforcement and then suddenly released without warning. He is still believed to be in Mexico. The Mexican authorities should find him, apprehend him, and extradite him.

T.J. Bonner of the National Border Patrol Council testified before the Senate Banking Committee on March 28, 1996, about the tragic fatal shooting on January 19, 1996, of a Border Patrol agent, our agent, Jefferson Barr. Agent Barr was killed while intercepting a group of marijuana smugglers along the border near Eagle Pass, TX.

Before he died, Agent Barr wounded one of his assailants. The FBI inter-

viewed the suspect, a Mexican national, in a Mexican hospital, and the United States later charged him with murder and sought his extradition. The Government of Mexico sentenced the individual to 10 years in prison on a narcotics-related charge but has refused to extradite him.

For the State Department to say that Mexico is fully cooperating on the issue of extraditions under these circumstances dishonors the memory of Agent Jefferson Barr.

America's law enforcement officers know how serious the problem is. I would like to quote from a March 2, 1997, press release put out by the National Border Patrol Council, local 1613, of San Diego. It reads:

The certification of Mexico is a clear blow to the efforts of U.S. Border Patrol agents in their daily efforts at thwarting the massive amounts of illegal drugs entering the country every day. Additionally, this certification is a disgrace to the memory of U.S. Border Patrol Agent Jefferson Barr.

#### THE NEED TO WAIVE SANCTIONS

Some worry that decertifying Mexico will harm our relationship with an important friend and ally. Others worry that it will make Mexico's drug problem worse.

Mexico is a friend and an ally, but I ask my colleagues: Do we do Mexico any favors by turning a blind eye to the depth of the problem? Do we do Mexico any favors by suggesting that the status quo is good enough? Will Mexico take the steps necessary to combat the flow of drugs if the United States keeps telling them year after year after year that they are doing enough and that they are fully cooperating?

The truth is that failure to decertify Mexico makes a mockery of the entire certification process. Columbia is decertified. Mexico is not. And today, the drugs coming from Mexico are the greatest threat. It makes no sense.

I know of few Members of this body, if any, who want to impose sanctions on Mexico. Senate Joint Resolution 21, which the Senator from Georgia and I introduced last week, decertifies Mexico but authorizes the President to waive all sanctions if it is in the vital national interest, and we will give testimony to that resolution in the Foreign Relations Committee the day after tomorrow.

The same is true of House Joint Resolution 58, which passed the House International Relations Committee by a vote of 27 to 5 last Thursday and will likely pass the full House by a large margin later this week.

I believe that we do have vital national interests in Mexico that require us not to impose sanctions at this point. All we are asking for is an honest, accurate assessment of whether Mexico has fully cooperated with us in the war on drugs, and to send the message that this cooperation must improve rapidly or Mexico will be fully decertified next year. This is what the law provides, and the facts, I believe,

speak for themselves. Mexico has not met the test of full cooperation required for certification.

#### STEPS TOWARD RECERTIFICATION

I realize that the administration has been working feverishly to negotiate agreements with Mexico which will show that progress is being made, and I hope they can do that. But it is too late to improve Mexico's performance in 1996. The year is gone. But let me lay out some of the steps I believe Mexico needs to take in order to be eligible to be recertified, if she is decertified.

First, effective action to dismantle the major drug cartels and arrest their leaders.

Second, full and ongoing implementation of effective money-laundering legislation and rigorously enforced bank regulations with penalties for those who do not comply.

Third, compliance with all outstanding extradition requests by the United States so that cartel leaders and major traffickers can be brought to justice.

Fourth, help at the border. Mexico, as a friend, an ally, and a neighbor, should help enforce the border and prevent the flow of contraband. It is not enough to see this as simply America's problem. And this goes for the seas as well. Not to permit United States military ships to refuel in Mexican ports without 30 days notice is unacceptable from a friend.

Fifth, improved cooperation with U.S. law enforcement officials, including allowing United States law enforcement agents to resume carrying weapons on the Mexican side of the border, and for Mexico to pay their share of the effort and be fully supportive of United States help.

Any legitimate American law enforcement officer detailed to Mexico and working drugs should be permitted to carry a sidearm—or they should not go.

Sixth, implementation of a comprehensive program to identify, to weed out, and to prosecute corrupt officials at all levels of the Mexican Government, police, and military.

If Mexico takes these steps, I would support recertification even during the current year, which the law allows if there is significant progress in a decertified country.

Mr. President, I believe I have laid out a strong case that Mexico did not earn certification as fully cooperating on counternarcotics in 1996. Have there been instances of cooperation? Of course. But can anyone credibly say that Mexico has fully cooperated with the United States? It is not even close.

It is important for us to be honest with ourselves about this issue. If we are not honest with ourselves, we unreasonably lower our guard against the incredible danger that Mexican drug trafficking poses to our children, our schools, and our communities.

If we are not honest with ourselves, we dishonor the dedication of thousands of DEA and Border Patrol agents who put their lives on the line every

single day to try to keep drugs from reaching our streets. I believe today those agents have every right to feel betrayed.

Senator COVERDELL, Senator HELMS, myself, and others will continue trying to disapprove the Mexico certification and enact a vital national interest waiver. Similar legislation is moving through the House. We will make our best effort.

Mr. President, I reserve the remainder of my time and ask unanimous consent that Senator COVERDELL and Senator HUTCHINSON of Arkansas be permitted to speak during morning business charged to the time under my control.

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

Mrs. FEINSTEIN. I thank the Chair. I yield the floor.

REMARKS BY THOMAS A. CONSTANTINE, ADMINISTRATOR, DRUG ENFORCEMENT ADMINISTRATION, BEFORE THE HOUSE GOVERNMENT REFORM AND OVERSIGHT COMMITTEE, NATIONAL SECURITY, INTERNATIONAL AFFAIRS, AND CRIMINAL JUSTICE SUBCOMMITTEE

Mr. Chairman, Members of the Subcommittee: I appreciate this opportunity to appear before the Subcommittee today on the subject of Mexico and the Southwest Border Initiative. My comments today will be limited to an objective assessment of the law enforcement issues involving organized crime and drug trafficking problems with specific attention on Mexico and the Southwest border. This hearing is extremely timely, and during my testimony I will provide the subcommittee with a full picture of how organized crime groups from Mexico operate and affect so many aspects of life in America today. I am not exaggerating when I say that these sophisticated drug syndicate groups from Mexico have eclipsed organized crime groups from Colombia as the premier law enforcement threat facing the United States today.

Many phrases have been used to describe the complex and sophisticated international drug trafficking groups operating out of Colombia and Mexico, and frankly, the somewhat respectable titles of "cartel" or "federation" mask the true identity of these vicious, destructive entities. The Cali organization, and the four largest drug trafficking organizations in Mexico—operating out of Juarez, Tijuana, Sonora and the Gulf region—are simply organized crime groups whose leaders are not in Brooklyn or Queens, but are safely ensconced on foreign soil. They are not legitimate businessmen as the word "cartel" implies, nor are they "federated" into a legitimate conglomerate. These syndicate leaders—the Rodriguez Orejuela brothers in Colombia to Amado Carrillo-Fuentes, Juan Garcia-Abrego, Miguel Caro-Quintero, and the Arellano-Felix Brothers—are simply the 1990's versions of the mob leaders U.S. law enforcement has fought since shortly after the turn of this century.

But these organized crime leaders are far more dangerous, far more influential and have a great deal more impact on our day to day lives than their domestic predecessors. While organized crime in the United States during the 1950's through the 1970's affected certain aspects of American life, their influence pales in comparison to the violence, corruption and power that today's drug syndicates wield. These individuals, from their headquarters locations, absolutely influence the choices that too many Americans make

about where to live, when to venture out of their homes, or where they send their children to school. The drugs—and the attendant violence which accompanies the drug trade—have reached into every American community and have robbed many Americans of the dreams they once cherished.

Organized crime in the United States was addressed over time, but only after Americans recognized the dangers that organized crime posed to our way of life. But it did not happen overnight. American organized crime was exposed to the light of day systematically, stripping away the pretense that mob leaders were anonymous businessmen. The Appalachian raid of 1957 forced law enforcement to acknowledge that these organized syndicates did indeed exist, and strong measures were taken to go after the top leadership, a strategy used effectively throughout our national campaign against the mob. During the 1960's, Attorney General Bobby Kennedy was unequivocal in his approach to ending the reign of organized crime in America, and consistent law enforcement policies were enacted which resulted in real gains. Today, traditional organized crime, as we knew it in the United States, has been eviscerated, a fragment of what it once was.

At the height of its power, organized crime in this nation was consolidated in the hands of few major families whose key players live in this nation, and were within reach of our criminal justice system. All decisions made by organized crime were made within the United States. Orders were carried out on U.S. soil. While it was not easy to build cases against the mob leaders, law enforcement knew that once a good case was made against a boss, he could be located within the U.S., arrested and sent to jail.

That is not the case with today's organized criminal groups. They are strong, sophisticated and destructive organizations operating on a global scale. Their decisions are made in sanctuaries in Cali, Colombia, and Guadalajara, Mexico, even day-to-day operational decisions such as where to ship cocaine, which cars their workers in the United States should rent, which apartments should be leased, which markings should be on each cocaine package, which contract murders should be ordered, which official should be bribed, and how much. They are shadowy figures whose armies of workers in Colombia, Mexico and the United States answer to them via daily faxes, cellular phone, or pagers. Their armies carry out killings within the United States—one day an outspoken journalist, one day a courier who had lost a load, the next an innocent bystander caught in the line of fire—on orders of the top leadership. They operate from the safety of protected locations and are free to come and go as they please within their home countries. These syndicate bosses have at their disposal airplanes, boats, vehicles, radar, communications equipment and weapons in quantities which rival the capabilities of some legitimate governments. Whereas previous organized crime leaders were millionaires, the Cali drug traffickers and their counterparts from Mexico are billionaires.

It is difficult—sometimes nearly impossible—for U.S. law enforcement to locate and arrest these leaders without the assistance of law enforcement in other countries. Their communications are coded, they are protected by corrupt law enforcement officials, despite pledges from the Government of Mexico to apprehend the syndicate leaders, law enforcement authorities have been unable to locate them and even if they are located, the government is not obligated to extradite them to the U.S. to stand trial.

In Mexico, as is the case wherever organized crime flourishes, corruption and intimidation allow the leaders to maintain



control. These sophisticated criminal groups cannot thrive unless law enforcement officials have been paid bribes, and witnesses fear for their lives. Later in my testimony I will discuss some of these problems in greater detail.

It is frustrating for all of us in law enforcement that the leaders of these criminal organizations, although well known and indicted repeatedly, have not been located, arrested or prosecuted.

#### THE CALI GROUP AND TRAFFICKERS FROM MEXICO

We cannot discuss the situation in Mexico today without looking at the evolution of the groups from Colombia—how they began, what their status is today, and how the groups from Mexico have learned important lessons from them, becoming major trafficking organizations in their own right.

During the late 1980's the Cali group assumed greater and greater power as their predecessors from the Medellin cartel was brash and publicly violent in their activities, the criminals, who ran their organization from Cali, labored behind the pretense of legitimacy, posing as businessmen, just carrying out their professional obligations. The Cali leaders—the Rodriguez Orejuela brothers, Santa Cruz Londono, Pacho Herrera—amassed fortunes and ran their multi-billion dollar cocaine businesses from high-rises and ranches in Colombia. Miguel Rodriguez Orejuela and his associates composed what was until then, the most powerful international organized crime group in history, employed 727 aircraft to ferry drugs to Mexico, from where they were smuggled into the United States, and then return to Colombia with the money from U.S. drug sales. Using landing areas in Mexico, they were able to evade U.S. law enforcement officials and make important alliances with transportation and distribution experts in Mexico.

With intense law enforcement pressure focused on the Cali leadership by brave men and women in the Colombian National Police during 1995 and 1996, all of the top leadership of the Cali syndicate are either in jail, or dead. The fine work done by General Serrano, who appeared before your subcommittee only two weeks ago, and other CNP officers is a testament to the commitment and dedication of Colombia's law enforcement officials in the face of great personal danger and a government whose leadership is riddled with drug corruption.

Since the Cali leaders' imprisonment on sentences which were ridiculously short and inadequate, traffickers from Mexico took on greater prominence. The alliance between the Colombian traffickers and the organizations from Mexico had benefits for both sides. Traditionally, the traffickers from Mexico have long been involved in smuggling marijuana, heroin, cocaine into the United States, and had established solid distribution routes throughout the nation. Because the Cali syndicate was concerned about the security of their loads, they brokered a commercial deal with the traffickers from Mexico, which reduced their potential losses.

This agreement entailed the Colombians moving cocaine from the Andean region to the Mexican organizations, who then assumed the responsibility of delivering the cocaine into the United States. In 1989, U.S. law enforcement officials seized 21 metric tons of cocaine in Sylmar, California; this record seizure demonstrated the extent and magnitude of the Mexican groups' capabilities to transport Colombian-produced cocaine into the United States. This huge shipment was driven across the Mexican/U.S. border in small shipments and stored in the warehouse until all transportation fees had been paid by the Calif and Medellin cartels,

to the transporters from Mexico are routinely paid in multi-ton quantities of cocaine, making them formidable cocaine traffickers in their own right.

The majority of cocaine entering the United States continues to come from Colombia through Mexico and across U.S. border points of entry. Most of the cocaine enters the United States in privately owned vehicles and commercial trucks. There is a new evidence that indicates traffickers in Mexico have gone directly to sources of cocaine in Bolivia and Peru in order to circumvent Colombian middlemen. In addition to the inexhaustible supply of cocaine entering the U.S., trafficking organizations from Mexico are responsible for producing and trafficking thousands of pounds of methamphetamine, and have been major distributors of heroin and marijuana in the W.S. since the 1970's.

#### MAJOR TRAFFICKERS FROM MEXICO

A number of major trafficking organizations represent the highest echelons of organized crime in Mexico. Their leaders are under indictment in the United States on numerous charges. The Department of Justice has submitted Provisional Warrants for many of their arrests to the Government of Mexico, and only one, Juan Garcia Agrego, because he was a U.S. citizen has been sent to the U.S. to face justice. The other leaders are living freely in Mexico, and have so far escaped apprehension by Mexican law enforcement, and have suffered little, if any inconvenience resulting from their notorious status, I believe that in order to fully expose these syndicate leaders, it is more beneficial to refer to them by their personal names than by the names of their organizations.

#### Amado Carrillo-Fuentes

The most powerful drug trafficker in Mexico at the current time is Amado Carrillo-Fuentes, who, as recently reported, allegedly has ties to the former Commissioner of the INCD, Gutierrez-Rebollo. His organized crime group, based in Juarez, is associated with the Rodriguez-Orejuela organization and the Ochoa brothers, from Medellin, as well. This organization, which is also involved in heroin and marijuana trafficking, handles large cocaine shipments from Colombia. Their regional bases in Guadalajara, Hermosillo and Torreon serve as storage locations where later, the drugs are moved closer to the border for eventual shipment into the United States.

The scope of the Carrillo-Fuentes' network is staggering; he reportedly forwards \$20-\$30 million to Colombia for each major operation, and his illegal activities generate ten's of millions per week. He was a pioneer in the use of large aircraft to transport cocaine from Colombia to Mexico and became known as "Lord of the Skies." Carrillo-Fuentes reportedly owns a fleet of aircraft and has major real estate holdings.

Like his Colombian counterparts, Carrillo-Fuentes is sophisticated in the use of technology and counter surveillance methods. His network employs state of the art communications devices to conduct business. His organization has become so powerful he is even seeking to expand his markets into traditional Colombian strongholds on the east coast of the United States.

Presently, Carrillo-Fuentes is attempting to consolidate control over drug trafficking along the entire Mexican northern border, and he plans to continue to bribe border officials to ensure that his attempts are successful. Carrillo-Fuentes, who is the subject of numerous separate U.S. law enforcement investigations has been indicted in Florida and Texas and remains a fugitive on heroin and cocaine charges.

#### Miguel Caro-Quintero

Miguel Caro-Quintero's organization is based in Sonora, Mexico and focuses its at-

tention on trafficking cocaine and marijuana. His brother, Rafael, is in prison in Mexico for his role in killing DEA Special Agent Kiki Camarena in 1985.

Miguel, along with two of his other brothers—Jorge and Genaro—run the organization. Miguel himself was arrested in 1992, and the USG and GOM cooperated in a bilateral prosecution. Unfortunately, that effort was thwarted when Miguel was able to use a combination of threats and bribes to have his charges dismissed by a federal judge in Hermosillo. He has operated freely since that time.

The Caro-Quintero organization specializes primarily in the cultivation, production and distribution of marijuana, a major cash-crop for drug groups from Mexico. The organization is believed to own many ranches in the northern border state of Sonora, where drugs are stored, and from which drug operations into the United States are staged. Despite its specialization in marijuana cultivation and distribution, like the other major drug organizations in Mexico, this group is polydrug in nature, also transporting and distributing cocaine and methamphetamine.

Miguel Caro-Quintero is the subject of several indictments in the United States and is currently the subject of provisional arrest warrants issued by the United States government, yet in an act of astonishing arrogance he called a radio station in Hermosillo, Mexico last May indicating that he was bothered by statements I had made that he was an innocent rancher and charges made against him by DEA were untrue. He then had the audacity to give his address and invite law enforcement officials from Mexico and the United States to visit him—yet he remains at large.

#### The Arellano-Felix Brothers

The Arellano-Felix Organization (AFO), often referred to as the Tijuana Cartel, is one of the most powerful and aggressive drug trafficking organizations operating from Mexico; it is undeniably the most violent. More than any other major trafficking organization from Mexico, it extends its tentacles directly from high-echelon figures in the law enforcement and judicial systems in Mexico, to street-level individuals in the United States. The AFO is responsible for the transportation, importation and distribution of multi-ton quantities of cocaine, marijuana, as well as large quantities of heroin and methamphetamine, into the United States from Mexico. The AFO operates primarily in the Mexican states of Sinaloa (their birth place), Jalisco, Michoacan, Chiapas, and Baja California South and North. From Baja, the drugs enter California, the primary point of embarkation into the United States distribution network.

The AFO does not operate without the complicity of Mexican law enforcement officials and their subordinates. According to extradition documents submitted by the Government of Mexico in San Diego, California, key family members reportedly dispense an estimated one million dollars weekly in bribes to Mexican federal, state and local officials, who assure that the movement of drugs continues to flow unimpeded to the gateway cities along the southwestern border of the United States.

The Arellano family, composed of seven brothers and four sisters, inherited the organization from Miguel Angel Felix-Gallardo upon his incarceration in Mexico in 1989 for his complicity in the murder of DEA Special Agent Enrique Camarena. Alberto Benjamin Arellano-Felix assumed leadership of the family structured criminal enterprise and provides a businessman's approach to the management of drug trafficking operations.

Ramon Eduardo Arellano-Felix, considered the most violent brother, organizes and coordinates protection details over which he



exerts absolute control. The AFO maintains well-armed and well-trained security forces, described by Mexican enforcement officials as paramilitary in nature, which include international mercenaries as advisors, trainers and members. Ramon Arellano's responsibilities consist of the planning of murders of rival drug leaders and those Mexican law enforcement officials not on their payroll. Also targeted for assassination are those AFO members who fall out of favor with the AFO leadership or simply are suspected of collaborating with law enforcement officials. Enforcers are often hired from violent street gangs in cities and towns in both Mexico and the United States in the belief that these gang members are expendable. They are dispatched to assassinate targeted individuals and to send a clear message to those who attempt to utilize the Mexicali/Tijuana corridor without paying the area transit tax demanded by the AFO trafficking domain.

The AFO also maintains complex communications centers in several major cities in Mexico to conduct electronic espionage and counter-surveillance measures against law enforcement entities. The organization employs radio scanners and equipment capable of intercepting both hard line and cellular phones to ensure the security of AFO operators. In addition to technical equipment, the AFO maintains caches of sophisticated automatic weaponry secured from a variety of international sources.

A Joint Task Force composed of the Drug Enforcement Administration and the Federal Bureau of Investigation has been established in San Diego, California, to target the AFO; the Task Force is investigating AFO operations in Southern California and related regional investigations which track drug transportation, distribution and money laundering activities of the AFO throughout the United States.

#### *Jesus Amezcua*

The Amezcua-Contreras brothers operating out of Guadalajara, Mexico head up a methamphetamine production and trafficking organization with global dimensions. Directed by Jesus Amezcua, and supported by his brothers, Adan and Luis, the Amezcua drug trafficking organization today is probably the world's largest smuggler of ephedrine and clandestine producer of methamphetamine. With a growing methamphetamine abuse problem in the United States, this organization's activities impact on a number of the major population centers in the U.S. The Amezcua organization obtains large quantities of the precursor ephedrine, utilizing contacts in Thailand and India, which they supply to methamphetamine labs in Mexico and the United States. This organization has placed trusted associates in the United States to move ephedrine to Mexican methamphetamine traffickers operating in the U.S. Jose Osorio-Cabrera, a fugitive from a Los Angeles investigation until his arrest in Bangkok, was a major ephedrine purchaser for the Amezcua organization.

#### *Joaquin Guzman-Loera*

Joaquin Guzman-Loera began to make a name for himself as a trafficker and air logistics expert for the powerful Miguel Felix-Gallardo organization. Guzman-Loera broke away from Felix-Gallardo and rose to patron level among the major Mexican trafficking organizations. Presently, he is incarcerated in Mexico; however, Mexican and United States authorities still consider him to be a major international drug trafficker. The organization has not been dismantled or seriously affected by Guzman-Loera's imprisonment because his brother, Arturo Guzman-Loera, has assumed the leadership role. The Guzman-Loera organization transports cocaine from Colombia through Mexico to the

United States for the Medellin and Cali organizations and is also involved in the movement, storage, and distribution of marijuana, and Mexican and Southeast Asian heroin. This organization controlled the drug smuggling tunnel between Agua Prieta, Sonora, Mexico and Douglas, Arizona through which tons of cocaine were smuggled.

Guzman-Loera, who has been named in several U.S. indictments, was arrested on June 9, 1993 in Talisman, Mexico for narcotics, homicide, and cocaine trafficking and is presently incarcerated at the Almoloya de Juarez Maximum Security Prison in Toluca, Mexico.

#### EFFECT OF MEXICAN ORGANIZED CRIME ON UNITED STATES

Unfortunately, the violence that is attendant to the drug trade in Mexico is spilling over the border into U.S. towns, like San Diego, California and Eagle Pass, Texas. Last summer, ranchers along the Texas/Mexico Border reported they were besieged by drug organizations smuggling cocaine and marijuana across their property—fences were torn down, livestock butchered and shots were fired at the ranchers homes at night. Ranchers reported seeing armed patrols in Mexico with night vision equipment, handheld radios and assault rifles that protected a steady stream of smugglers back packing marijuana and cocaine into the United States. The problem became so acute that the State of Texas and the Federal government sent support in the form of additional U.S. Border Patrol Agents, DEA Special Agents, Officers from the Texas Department of Public Safety and the Texas National Guard. Life has returned somewhat to normal in that area, as the drug gangs reacted to law enforcement pressure and have moved their operations elsewhere.

DEA information supports widely reported press accounts that the Arellano-Felix organization relies on a San Diego, California gang known as "Logan Heights Calle 30" to carry out executions and conduct security for their distribution operations. Six members of "Calle 30" were arrested by DEA's violent crime task force and the San Diego Police Department for the murder of a man and his son in San Diego. Since that time 49 members of "Calle 30" have been arrested by the Narcotics Task Force in San Diego on a variety of charges from trafficking to violent crimes.

On December 11, 1996, Fernando Jesus-Gutierrez was shot five times in the face during rush hour in the then exclusive neighborhood, the Silver Strand, in Coronado, California, after his death was ordered by the Arellano-Felix organization. In 1993, a turf battle over the methamphetamine market between rival drug gangs from Mexico resulted in 26 individuals being murdered in one summer in the San Diego area.

#### U.S. LAW ENFORCEMENT STRATEGY VERSUS ORGANIZED CRIME IN MEXICO

The Southwest Border Initiative (SWBI) is Federal law enforcement's joint response to the substantial threat posed by Mexican groups operating along the Southwest Border. The SWBI, now in its third year of operation, is an integrated, coordinated strategy that focuses the resources of DEA, FBI, the United States Attorney's Office, the Criminal Division, the U.S. Border Patrol, the U.S. Customs Service and state and local authorities on the sophisticated Mexican drug trafficking organizations operating on both sides of the U.S./Mexican border.

Through this initiative we have identified the sophisticated Mexican drug trafficking organizations operating along the entire U.S. border. These groups are transporting multi-ton shipments of cocaine for the Colombia groups, as well as heroin, methamphetamine

and marijuana. Imitating the Colombian groups, the Mexican organizations are highly compartmentalized, using numerous workers to accomplish very specific tasks, such as driving load cars, renting houses for storage sites, distributing cocaine, and collecting profits. Through the compartmentalization process each worker performs a distinct task and has no knowledge of the other members of the organization.

We are attacking the organizations by targeting the communication systems of their command and control centers. Working in concert, DEA, FBI, U.S. Customs Service and the U.S. Attorneys offices around the country conduct wiretaps that ultimately identify their U.S. based organization from top to bottom. This strategy allows us to track the seamless continuum of cocaine traffic as it flows from Colombia through Mexico, to its eventual street distribution in the United States. However, even though this strategy is extremely effective in dismantling the U.S. based portions of the organizations, we are frustrated by not being able to use this same information to reach the organization's bosses in Mexico and their current counterparts in Colombia. Criminals, such as Carillo-Fuentes and Arellano-Felix, personally direct their organizations from safe havens in Mexico and until we garner the complete cooperation of law enforcement officials in Mexico, we will never be truly effective in stopping the flow of drugs from their country.

The Southwest Border Strategy is anchored in our belief that the only way of successfully attacking any organized crime syndicate is to build strong cases on the leadership and their command and control functions. The long-term incarceration of key members of these organization's command and control will cause a steady degradation of their ability conduct business in the United States and with the assistance of foreign governments, the long-term incarceration of the leadership will leave the entire organizations in disarray. The Cali syndicate once controlled cocaine traffic in the world from a highly organized corporate structure, with the incarceration of the Cali leaders we see the cocaine trade in Colombia has become far less monolithic and several independent unrelated organizations are controlling the exportation of cocaine to the U.S. and Mexico. This change is a direct result of the incarceration of the Cali leaders and their inability to fully control their organizations from prison.

We spoke to you last year about the successes of Zorro II, conducted under the auspices of the SWBI, during which both a Colombian distribution organization and a Mexican smuggling organization were dismantled and the infrastructure of both organizations were destroyed. Ninety court authorized wire taps resulted in the arrest of 156 people and the seizure of \$17 million dollars and 5,600 kilograms of cocaine. Most importantly, neither the Colombian or Mexican organizations have been able to reconstitute these distribution organizations. Zorro II confirmed our belief that cocaine distribution in the United States is controlled by the foreign syndicates located in Colombia and Mexico.

Since Zorro II, we have continued to focus on the command and control function of other transportation and distribution cells operating along the Southwest Border and throughout the U.S. These investigations are time and resource intensive, but yield significant results. Additional investigations, of similar significance and importance as Zorro II, have been developed since that time, however due to the sensitive nature of the investigations, I am precluded from discussing them at this time.

## CORRUPTION AND INTIMIDATION: TOOLS OF THE TRADE

Traditionally, organized crime has depended on the corruption of officials, and the intimidation of potential or actual witnesses, as well as violence against anyone who stands in the way of business. The Medellin and Cali traffickers were masters of corruption, intimidation and violence, and used these tools effectively to silence and coerce.

Organized crime figures in Mexico routinely use these tools as well. The recent arrest of the Commissioner of the INCD in Mexico last week is the latest illustration of how deeply rooted corruption is in Mexican anti-narcotics organizations. A good illustration of the extent of corruption in Mexico was revealed when officials, seeking the extradition of two of Arellano-Felix's contract killers, who are currently incarcerated in the United States, submitted papers indicating that the State Attorney General and almost 90 percent of the law enforcement officers, prosecutors, and judges in Tijuana and the State of Baja California have been compromised and are on the payroll of the Arellano-Felix brothers. In addition, several high ranking police officers regularly provide the names of witnesses who give statements against the Arellano-Felices and have even provided information that assisted in locating targets for assassination. Just recently, the Federal Police in Baja California Norte were replaced with military troops, a tacit admission of the level of corruption in that area. Yet, as we observed with the arrest of Gutierrez-Rebollo, the military is not immune from corruption either.

Historically, corruption has been a central problem in DEA's relationship with Mexican counterparts. In short, there is not one single law enforcement institution in Mexico with whom DEA has an entirely trusting relationship. Such a relationship is absolutely essential to the conduct of business in that, or any other nation where organized crime syndicates traffic in narcotics.

In the brief time we have allotted to us today, I would like to provide you with some recent examples of the corruption which we encounter all too frequently in Mexico.

This January, the Mexican Army raided the wedding party of Amado Carillo-Fuentes' sister. When they arrived at the scene, Mexican Federal Judicial Police were guarding the party. The MFJP had alerted Carillo-Fuentes about the planned raid, and he was able to escape.

The Arellano-Felix organization routinely bribes government officials to obtain information from prosecutors' offices including information on potential witnesses.

Despite the firing of over 1,200 government officials for corruption charges by President Zedillo, no successful prosecutions of these individuals has taken place.

In March 1996, DEA Task Force Agents arrested two individuals who identified themselves as police officers from Sonora, Mexico. Eleven hundred pounds of marijuana were found on the scene, and the police admitted they worked at the stash house.

In July a Mexican Army Division arrested nine Mexican Federal Judicial Police Officers and seized 50 kilograms of cocaine and \$578,000 in U.S. currency. The defendants were acting under the direction of the Commandante for Culiacan, Sinaloa at the time.

While a great deal of the corruption plagues the law enforcement agencies in Mexico, the Mexican military and other institutions are also vulnerable to the corrupting influences of the narcotics trade. The Mexican Government has replaced police with military officials, who are not fully

trained in all of the aspects of narcotics investigations. This situation is far from ideal. Political officials are also not immune to narcotics corruption: DEA has documented instances where public officials have allowed drug traffickers to freely operate in areas under their control. Corruption is the most serious, most pervasive obstacle to progress in addressing the drug trade in Mexico.

In addition to the serious corruption problems plaguing anti-narcotics enforcement efforts in Mexico, murders and violence are commonplace methods of silencing witnesses or rivals. Since 1993, twenty-three major drug-related assassinations have taken place in Mexico. Virtually all of these murders remain unsolved. Many of them have occurred in Tijuana or have involved victims from Tijuana. In the last year, 12 law enforcement officials or former officials have been gunned down in Tijuana and the vast majority of the 200 murders in that city are believed to have been drug-related.

A number of these incidents involving law enforcement officials are a serious indication of the depth and breadth of the power of the traffickers in Mexico.

The Arellano-Felix organization was responsible for setting off a bomb at the Camino Real Hotel in Guadalajara, where they intended to kill a rival trafficker, hosting a party for his daughter. Two men were killed and fifteen people wounded.

In September 1996, Jorge Garcia-Vargas, Sub-Director of the Tijuana office of the Institute for the Combat of Drugs (INCD) and former Commandante Miguel Angel Silva-Caballero were found shot to death in their car in Mexico City. The bodies showed signs of torture, similar to those on the bodies of Hector Gonzalez-Baencas. Garcia-Vargas' assistant in Tijuana, and three body guards who were tortured and killed five days earlier in Mexico City. Garcia-Vargas' death came only one year after he took the job in Tijuana.

Ernest Ibarra-Santes, the Director of Federal Police Force in Tijuana, and two police officers were executed by machine-gun fire as they drove along a main street in Mexico City. Ibarra-Santes was executed just 29 days after he became Director and two days after he reprimanded his own force stating "The Police had become so corrupt they weren't just friends with the traffickers, they were their servants." A Mexican Army officer has been implicated in this murder.

Baja State Prosecutor Godin Gutierrez-Rico was assassinated in front of his residence in Tijuana on January 3, 1997. Gutierrez a supervisory state attorney and former head of a special enforcement unit that investigated high profile homicides in Tijuana, had assisted DEA in identifying several assassins for the Arellano-Felix organization. Information strongly links the Arellano-Felix's to this murder which was particularly vicious; Gutierrez-Rico was shot over 100 times, after which his body was repeatedly run over by an automobile.

It is hard to imagine that in our own nation, we would stand for such killings and for government inaction in solving the murders. The assassinations in Mexico are akin to three Assistant United States Attorneys, the Special Agent in Charge of the DEA office in San Diego, the Special Agent in Charge of the FBI office in Houston and the Chief of Police in San Diego being murdered callously by drug dealers. Americans would not accept these murders going unsolved and no arrests being made. For any country's law enforcement agencies to be viable partners in the international law enforcement arena, they must apprehend and incarcerate those criminals who murder with such impunity.

## COOPERATION WITH MEXICO

The primary program for cooperative law enforcement efforts with the Government of

Mexico is a proposed series of Bilateral Task Forces (BTF's). The U.S. and Mexico signed a memorandum of understanding in 1996, outlining the framework for the United States Government and the government of Mexico to conduct joint investigations against targeted drug organizations. These Bilateral Task Forces (BTF's) were established in Juarez, Tijuana and Monterrey. The task forces in Tijuana and Juarez have been limited in their ability to collect intelligence and seize drugs and they have not met their most important objectives of arresting the leaders of the major syndicates and dismantling their organizations.

During bilateral plenary meetings, Mexican officials promised they would allocate \$2.4 million from seized assets the U.S. had shared with Mexico towards the financing of the BTF's; however, Francisco Molina Ruiz, the former head of the INCD, advised DEA that he had been unable to obtain the financial support necessary to make these Task Forces operational. The BTF's for the most part are staffed with enthusiastic young officers, however, they have neither received the training nor the equipment necessary to build cases on and arrest these sophisticated and wealthy drug traffickers.

The most significant shortcoming of the B.T.F.'s however, lies in its leadership. On at least two occasions, after having been advised of pending enforcement actions by their subordinates, corrupt command officers in Mexico City compromised the investigations. One involved the attempted seizure of sixteen tons of cocaine belonging to the Arellano-Felix family. To be successful in Mexico, we must be able to share intelligence with the B.T.F.'s with the confidence that it will be promptly acted on and not be compromised by corrupt officials that is not the condition that we are currently faced with in our relationship with the bi-lateral groups.

Unfortunately, I was recently forced to limit DEA participation in these B.T.F.'s, because of a decision by the Government of Mexico that would no longer allow us to guarantee the safety of our Special Agents while they were working in Mexico. The atmosphere in Mexico is volatile and threats against DEA Special Agents, along the border, have increased substantially; therefore I have rescinded travel authority for all DEA Special Agents to Mexico, to participate in counter-drug investigations, until they are provided appropriate protection, that is commensurate with the risks inherent in these dangerous assignments.

## PROSPECTS FOR PROGRESS

Since coming to office, President Zedillo has promised that he would take action against organized criminal groups in Mexico. In that time period he has moved to make significant changes to the law enforcement process by sponsoring the Organized Crime Bill to provide the tools needed to successfully attack the criminal syndicates and formed the Organized Crime Task Force and the Bilateral Task Forces. However, even with the improved process, the infrastructure of the mechanism, itself, is so decimated by corruption that short term results are very doubtful.

The real test is in the mid- and long-term. Unless some meaningful reforms are made in the law enforcement systems responsible for targeting and apprehending major organized crime figures in Mexico, that nation, and unfortunately our own, will continue to fight an uphill battle as drugs will continue to flow into cities and towns across the United States. To date, our inability to successfully attack the major organized crime groups in Mexico, as we have the United States and Colombia, is a direct result of our inability to arrest the leadership of these groups.

President Zedillo has acted against corrupt officials, and has stated that he is committed to professionalizing Mexican law enforcement. Yet the bottom line remains; until the major organized crime figures operating in Mexico are aggressively targeted, investigated, arrested, sentenced appropriately and jailed, both Mexico and the United States are in grave danger.

What law enforcement steps are necessary for long-lasting progress against organized crime leaders in Mexico? We faced the same questions in our mutual struggle against the Colombian organized groups during the past decade. What it took was an all-out effort by the Colombian National Police to target and incarcerate the top leaders in Cali. Until the Government of Colombia was put on notice that their lack of commitment to this goal was unacceptable, the CNP did not have the moral backing it needed to move out aggressively. In Mexico's case, it appears that the political will to rid the country of the its narco-trafficking reputation is there; however, what is lacking are clean, committed law enforcement agencies willing to take on the most powerful and influential organized crime figures operating on a global scale.

We hope that efforts towards this end will bear fruit. In November, 1996, the Government of Mexico passed an Organized Crime Law which provides Law Enforcement officials with many of the tools needed to successfully attack the sophisticated drug syndicates in their country. Included as part of the Law were: authorization to conduct electronic surveillance, a witness protection program; plea bargaining; conspiracy laws; undercover operations; the use of informants by police.

For these new law enforcement tools to be utilized effectively, the new law mandated the Government of Mexico to form Organized Crime Units to conduct the investigations and further stipulated that the laws could not be enforced until the unit was formed and properly trained. The Organized Crime Units are now in place and consist of 60 officers to investigate crimes specified under the law. The Government of Mexico has agreed to insure the integrity of the Organized Crime Unit through the use of polygraphs and regular background investigations. However, like the Bilateral Task Forces, these units will not be successful and DEA might not be able to share sensitive information with them as long as their supervisors or managers are corrupt.

It is important to remember that law enforcement in the United States did not have wiretap authority and wide ranging organized crime laws such as RICO and Continuing Criminal Enterprise until the late 1960's. The Government of Mexico is effectively 35 years behind us in establishing laws that were critical in our successful dismantling of organized criminal syndicates. If they work properly, the Bilateral task forces and our Southwest Border Initiative can be favorably compared to the Strike Forces established by Bobby Kennedy in the 1960's. This 1990's version of the Strike Force is international in scope and pools the resources, expertise and laws of several federal and state institutions in the United States with those in Mexico.

It is absolutely essential that the Organized Crime Units and the Bilateral Task Forces have integrity insurance programs as part of their charter. Unless these units are trustworthy, informants who cooperate will not be safe, undercover investigations will be compromised and intelligence sharing process will not function at all. As we have seen recently, both the military and law enforcement have been grievously compromised by these criminal groups and this brings into question the ability of any program in Mex-

ico to remain corruption free. However, last week we saw in the arrest of General Gutierrez-Rebollo, that some trustworthy units do exist and can work without compromise.

The problems of establishing a corruption-free law enforcement infrastructure are not insurmountable. However, to become credible in the law enforcement arena the Government of Mexico must ensure the integrity of the units that have the responsibility of tracking down and arresting the syndicate leaders, insuring these individuals are either prosecuted in Mexico and receive meaningful sentence commensurate with their crimes or agree to extradite them to the United States where they will receive punishment similar to that of Juan Garcia-Abrego.

#### EXHIBIT 2

U.S. GOVERNMENT PRINTING OFFICE,  
OFFICE OF THE PUBLIC PRINTER,  
Washington, DC, March 10, 1997.

Hon. DIANE FEINSTEIN,  
U.S. Senate, Washington, DC.

DEAR SENATOR FEINSTEIN: We return here with your manuscript entitled "Re: Remarks by Thomas A. Constantine" submitted to this Office for insertion in the Congressional Record, and respectfully invite your attention to the following regulation of the Joint Committee on Printing:

(1) No extraneous matter in excess of two printed Record pages, whether printed in its entirety in one daily issue or in two or more parts in one or more issues, shall be printed in the CONGRESSIONAL RECORD unless the Member announces, coincident with the request for leave to print or extend, the estimate in writing from the Public Printer of the probable cost of publishing the same.

(2) No extraneous matter shall be printed in the House proceedings or the Senate proceedings, with the following exceptions: (a) Excerpts from letters, telegrams, or articles presented in connection with a speech delivered in the course of debate; (b) Communications from State Legislatures, and (c) Addresses or articles by the President and the Members of his Cabinet, the Vice President, or a Member of Congress.

(3) The official reporters of the House or Senate or the Public Printer shall return to the Member of the respective House any matter submitted for the CONGRESSIONAL RECORD which is in contravention of these provisions.

This manuscript is estimated to make approximately 5 pages of the Congressional Record at a cost of \$1,152.00. If you still desire to have this matter published in the Record, permission must again be requested of the Senate for its inclusion and the probable cost should then be announced and this estimate attached to the manuscript sent to the Official Reporters.

Sincerely,

CHARLES C. COOK, Sr.  
Superintendent, Con-  
gressional Printing  
Management Divi-  
sion.

#### EXHIBIT 3

[From the Washington Post, Feb. 26, 1997]

ALLEGED KINGPIN OF SONORA CARTEL  
UNTOUCHED BY LAW

(By John Ward Anderson)

CABORCA, MEXICO.—Miguel Angel Caro Quintero, identified by U.S. officials as one of Mexico's drug smuggling kingpins, arrived in a pickup truck at his modest horse and cattle ranch here and described life in this small desert town 60 miles south of the U.S. border.

"I go to the banks, offices, just like any Mexican," said Caro Quintero, who has four

indictments pending against him in the United States on charges involving cocaine, marijuana, money laundering and racketeering. "Every day I pass by roadblocks, police, soldiers, and there are no problems."

"I'm in the streets all the time. How can they not find me?" he asked at the end of a rare, hour-long interview. "Because they're not looking for me."

Caro Quintero, 33, is identified by U.S. law enforcement officials as the head of the Sonora cartel, which they describe as one of Mexico's main drug mafias. Although arrested here in 1992 on tax charges, he has never been convicted of any crime, and Mexican authorities have never charged him with any drug violation.

U.S. officials see Caro Quintero as a prime example of how weak Mexican laws and an intricate web of corruption have permitted some alleged drug kingpins to operate their syndicates with impunity and live without fear of arrest, conviction or extradition to the United States. At the same time, high-ranking politicians, government officials, judges, prosecutors, and military and police officers have enriched themselves by protecting the syndicates, and they are rarely prosecuted or investigated.

After Caro Quintero's 1992 tax arrest, for instance, the United States and Mexico launched a joint prosecution effort. "But it was thwarted when Miguel used a combination of threats and bribes to have the charges dismissed by a federal judge in Hermosillo [capital of his home state, Sonora], and he's operated freely since that time," said an official of the U.S. Drug Enforcement Administration (DEA).

Similar allegations of high-level corruption are aired almost daily here, depicting decay in Mexico's justice system and some of its other institutions, including the military.

The recent revelations have prompted a more thorough debate among U.S. officials over whether President Clinton should certify by Saturday that Mexico is a reliable ally in the international war on drugs.

"I don't know if 'collapse' is the correct term" for what's happening to the justice system, Attorney General Jorge Madrazo Cuellar said in a recent interview. "But it's the gravest crisis Mexico has faced in the modern age." On Tuesday, Madrazo announced a "top-to-bottom" reform of his office to address the crisis—the latest in a number of such reforms announced in recent years.

The New York Times reported Sunday that two state governors—Manlio Fabio Beltrones Rivera of Sonora and Jorge Carrillo Olea of Morelos—have aided Amado Carrillo Fuentes, head of a Juarez-based smuggling cartel. Despite numerous U.S. intelligence reports detailing their drug ties, the Times reported, "both [governors] seem to enjoy a tacit immunity from concerted criminal investigation in Mexico and the United States."

A spokesman for Attorney General Madrazo said neither governor is under investigation for ties to drug smuggling.

At the same time, some of Mexico's top alleged kingpins—including Carrillo Fuentes, Caro Quintero and brothers Jesus and Luis Amezcua, who are considered among the world's biggest traffickers of methamphetamine—have no drug charges pending in Mexico. Despite indictments against each of these men in the United States, U.S. officials say they face little threat of being apprehended and extradited for trial in the United States because of tough restrictions against extradition in Mexico's constitution.

Until last year, only two Mexican citizens had been sent to the United States for trial under a 1978 extradition treaty between the

two countries. But new laws permit Mexico's foreign minister to find "an exception" permitting extradition. Last year, four Mexican citizens were sent to the United States, including two accused drug dealers.

Juan Garcia Abrego, the head of the Gulf cartel who was recently sentenced to life in prison in a drug trial in Houston, was not extradited but deported to the United States because he held dual citizenship.

Mexican anti-drug officials said Carrillo Fuentes has weapons and conspiracy charges pending against him. If arrested, they said, he would be held while drug trafficking charges were filed and officials considered a pending U.S. request for extradition.

Authorities thought they would nab Carrillo Fuentes at his sister's wedding in early January, when private planes ferrying guests in and out of local airports led drug investigators to believe that he would make an appearance at the ceremony. But the Juarez cartel chief never showed up, and officials say he may have been tipped off by Gen. Jesus Gutierrez Rebollo, the anti-drug czar who was arrested last week after officials charged he had been an informant for Carrillo Fuentes for years. A federal judge indicted Gutierrez yesterday on charges of aiding and protecting cocaine shipments, the Associated Press reported.

While drug investigations here have been severely hampered by corruption, U.S. and Mexican officials said, until recently they were also crippled by a legal system that did not permit the use of evidence gathered by wiretaps or paid confidential informants. In November, however, Mexico's Congress approved an organized crime bill that legalizes such tactics and institutes a witness protection program.

"We didn't have any legal way to introduce into evidence taped conversations—wiretaps—or to protect witnesses who enter into plea bargains in return for evidence that can be used against kingpins," said Juan Rebollo Jout, a top Foreign Ministry official. Without such tools, he said, "these people are powerful, they are corrupt, and they are difficult to catch."

However, Mexican officials conceded, a critical problem still remains. Because U.S. cases are often built with confidential informants and wiretaps, it is unclear whether Mexican judges will allow extraditions to move forward if they are based on U.S. cases that used wiretaps and confidential informants before they became legal in Mexico.

U.S. officials said they are beginning a major extradition push for Caro Quintero because there are no charges against him in Mexico. Mexican officials said he is under investigation.

"The problem is, we don't know why he doesn't have charges against him," said the Foreign Ministry's Rebollo. "We are reviewing how decisions are made and investigations are being carried out."

Caro Quintero denied being involved in any way in drug trafficking. He said he and his family are the victims of a vendetta by U.S. drug agents seeking revenge for the 1985 murder in Guadalajara of DEA agent Enrique Camarena.

Miguel's brother Rafael, co-founder of the infamous Guadalajara drug cartel, was convicted in Camarena's slaying, which U.S. officials frequently cite as the event that opened their eyes to the growing power and menace of Mexico's drug mafias.

With his brother's imprisonment, "Miguel Caro Quintero now runs the organization," DEA chief Thomas Constantine told the Senate two years ago. It is one of "the four major [Mexican] drug trafficking organizations that work closely with the Cali [Colombia] mafia" to smuggle cocaine into the United States, Constantine said.

Caro Quintero called the charges "fabrications" and held up his relatively peaceful lifestyle as proof he is not wanted by the law. He added that he does not believe his brother killed Camarena.

Tall, with jet-black hair and a thick mustache, wearing bluejean pants and jacket with a plain shirt and a white cowboy hat, Caro Quintero looks like he stepped out of a cigarette ad. He said his family—he has three brothers and six sisters—grew up in the neighboring state of Sinaloa, where his father, who died five years ago, owned a cattle farm. He is married and has two sons, ages 7 and 12.

Caro Quintero said his family came to Sonora about 15 years ago. He denied reports that his family owns hotels, movie theaters and huge amounts of land in and around Caborca, which is about 75 miles southwest of the border city of Nogales, in a remote desert region known as a haven for traffickers and clandestine airstrips.

A 1994 indictment in Arizona charged that Caro Quintero negotiated with an undercover DEA agent to set up a series of such clandestine landing strips to smuggle cocaine into the United States.

Caro Quintero said he and his family own only a ranch where they raise cattle and a farm where they grow honeydews and watermelons for export to the United States. He said the family's land holdings total about 25 acres.

"If I had a cartel, I'd have a lot of money and my brother wouldn't be there [in jail]," he said.

#### STATEMENT OF PRESIDENT ED LADD, CALIFORNIA NARCOTICS OFFICERS ASSOCIATION

The Board of the California Narcotics Officers' Association voted today to unanimously support Senator Dianne Feinstein and Senator Paul Coverdell in their efforts to overturn the President's decision to certify Mexico. The California Narcotics Officers' Association Board, representing over 7,000 law enforcement agents and prosecutors, is the second largest professional law enforcement association in the nation. Today's vote to join with Senator Feinstein on the decertification issue is based on our longstanding experience with the widespread corruption and lack of cooperation shown by the Mexican government.

It is no secret that drugs are a huge problem in California. What may not be widely known is the alarming rate in which narcotics spill over the California border from Mexico. It is estimated that 50% to 70% of the cocaine, up to 80% of the marijuana and 20% to 30% of the heroin are imported in the United States from Mexico. Without the cooperation of the Mexican government in the war against drugs, we cannot put up a fair fight. We strongly urge Congress to overturn the President's decision to certify Mexico.

The impact drugs have on our communities exemplifies the need for the United States to demand full cooperation from the Mexican government in their efforts to stem the flow of drugs into our country. As law enforcement agents and prosecutors, we have witnessed the effects drugs have on our cities and communities first hand. Dangerous drugs are becoming more prevalent on our streets. For example, the supply of black tar heroin brought into California from Mexico is growing at such an incredible rate that the price per ounce has been cut in half in just two years—from \$800 per ounce to \$400 an ounce. By certifying Mexico again this year, President Clinton is allowing the drug flow to continue unchecked.

The corruption and violence created by the Mexican drug cartels will not be lessened until a strong message is sent that Mexico must improve their anti-drug efforts. The

President's decision to certify does not send this message. We simply cannot stand by this decision and we strongly urge Congress to overturn it.

The members of the California Narcotics Officers' Association are happy to support Senators Feinstein and Coverdell and other members of Congress and take whatever steps are necessary to see that full cooperation occurs.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the State Department's statement of explanation on certification be printed in the RECORD.

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

THE WHITE HOUSE,  
Washington, DC, February 28, 1997.

MEMORANDUM FOR THE SECRETARY OF STATE  
Subject: Certification for major narcotics producing and transit countries.

By virtue of the authority vested in me by section 490(b)(1)(A) of the Foreign Assistance Act of 1961, as amended, ("the Act"), I hereby determine and certify that the following major drug producing and/or major drug transit countries/dependent territories have cooperated fully with the United States, or taken adequate steps on their own, to achieve full compliance with the goals and objectives of the 1988 United Nations Convention Against Illicit Traffic in Narcotics Drugs and Psychotropic Substances: Aruba, The Bahamas, Bolivia, Brazil, Cambodia, China, Dominican Republic, Ecuador, Guatemala, Haiti, Hong Kong, India, Jamaica, Laos, Malaysia, Mexico, Panama, Paraguay, Peru, Taiwan, Thailand, Venezuela, and Vietnam.

By virtue of the authority vested in me by section 490(b)(1)(B) of the Act, I hereby determine that it is in the vital national interests of the United States to certify the following major illicit drug producing and/or transit countries: Belize, Lebanon, and Pakistan.

Analysis of the relevant U.S. vital national interests, as required under section 490(b)(3) of the Act, is attached. I have determined that the following major illicit drug producing and/or major transit countries do not meet the standards set forth in section 490(b) for certification: Afghanistan, Burma, Colombia, Iran, Nigeria, and Syria.

In making these determinations, I have considered the factors set forth in section 490 of the Act, based on the information contained in the International Narcotics Control Strategy Report of 1997. Because the performance of each of these countries/dependent territories has differed, I have attached an explanatory statement for each of the countries/dependent territories subject to this determination.

You are hereby authorized and directed to report this determination to the Congress immediately and to published it in the *Federal Register*.

WILLIAM J. CLINTON.

#### STATE DEPARTMENT STATEMENT OF EXPLANATION MEXICO

The Government of Mexico's (GOM) 1996 counter-drug effort produced encouraging resulting and notable progress in bilateral cooperation. President Zedillo has declared the major drug trafficking organizations, and the corruption they foster within governmental structures, to be Mexico's principal national security threat. He has intensified the country's counter-drug effort, in keeping with international human rights norms, both through legal reforms and operationally, through the expanded participation of the nation's military services.

Drug seizures and arrests increased in 1996. Mexican authorities seized 23.8 mt of cocaine, 383 kgs of heroin, 1015 mt of marijuana, 171.7 kgs of methamphetamine and 6.7 mt of ephedrine (its chemical precursor), and destroyed 20 drug labs. Police arrested 11,283 suspects on drug-related charges. Authorities arrested several major traffickers: Juan Garcia Abrego, Gulf cartel leader and one of the FBI's "Ten Most Wanted" fugitives; Jose Luis Pereira Salas, linked to the Cali and Juarez cartels; and Manuel Rodriguez Lopez, linked to the Castrillon maritime smuggling organization.

The Mexican Congress passed two critical pieces of legislation which have armed the GOM with a whole new arsenal of weapons to use to combat money laundering, chemical diversion and organized crime. The GOM established organized crime task forces in key locations in northern and western Mexico in cooperation with U.S. law enforcement. In an effort to confront widespread corruption within the nation's law enforcement agencies, former Attorney General Lozano dismissed over 1250 federal police officers and technical personnel for corruption or incompetence, although some have been rehired, and the GOM indicated two former senior GOM officials and a current Undersecretary of Tourism. He also sought to expand cooperation with the United States and other governments.

The United States and Mexico established the High-Level Contact Group on Narcotics Control (HLCG) to explore joint solutions to the shared drug threat and to coordinate bilateral anti-drug efforts. The HLCG met three times during 1996 and its technical working groups met throughout the year. Under the aegis of the HLCG, the two governments developed a joint assessment of the narcotics threat posed to both countries which will be used as the basis for a joint counter-drug strategy.

U.S.-Mexican bilateral cooperation on drug law enforcement continued to improve in 1996, particularly in the areas of money laundering, mutual legal assistance, and criminal investigations. The USG provided training, technical, and material support to personnel of the Office of the Mexican Attorney General (PGR), the National Institute to Combat Drugs (INCD), the Mexican Treasury, and the Mexican armed forces. The Government of Mexico established the important precedent of extraditing Mexican nationals to the United States under the provision of Mexico's extradition law permitting this in "exceptional circumstances." This paves the way for further advances in bringing fugitives to justice. Both governments returned record numbers of fugitives in 1996.

Even with positive results, and good cooperation with the U.S. and other governments, the problems which Mexico faces remain daunting. The Zedillo Administration has taken important beginning steps against the major drug cartels in Mexico, and towards more effective cooperation with the United States and other international partners, but the strongest groups, such as the Juarez and Tijuana cartels, have yet to be effectively confronted. The level of narcotics corruption is very serious, reaching into the very senior levels of Mexico's drug law enforcement forces, as witnessed by the February 1997 arrest of the recently-appointed national counternarcotics coordinator. President Zedillo acted courageously to remove him as soon as the internal Mexican investigation revealed the problem, but this has been a set-back for Mexico's anti-drug effort, and for bilateral cooperation.

Mexican police, military personnel, prosecutors, and the courts need additional resources, training and other support to perform the important and dangerous tasks

ahead of them. Progress in establishing controls on money laundering and chemical diversion must be further enhanced and implemented. New capabilities need to be institutionalized. Above all, the GOM will have to take system-wide action against corruption and other abuses of official authority through enhanced screening of personnel in sensitive positions and putting into place ongoing integrity controls.

While there are still serious problems, and a number of areas in which the USG would like to see further progress, the two governments have agreed on the parameters of a joint approach to combat the narcotics threat, and are at work on developing this strategy. The drug issue will remain one of the top issues in the bilateral agenda and will be one of the main issues discussed during President Clinton's planned visit to Mexico in April.

Mrs. FEINSTEIN. Mr. President, the distinguished Senator from South Carolina [Mr. HOLLINGS], has asked to cosponsor Senate Joint Resolution 19, Senate Joint Resolution 20, and Senate Joint Resolution 21, and has also asked for time, which I would ask be charged to my time.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. HOLLINGS. Mr. President, I thank the distinguished Senator from California. She has, as usual, done her homework and, her persuasive arguments at last Thursday's caucus where she debated General McCaffrey changed my mind. I had hesitated endorsing her initiative. They taught us in the Army years ago, no matter how well the gunners aimed, if the recoil is going to kill the gun crew, you do not fire it.

I had to question myself on the recoil here, from this particular initiative. What good was it going to do? Would it do more harm than good? It was easily determined, after listening to Senator FEINSTEIN, that it was definitely going to do more good because, in line with the limited time, you find exactly what I have learned through hard experience, in the most recent issue of the *London Economist*, on page 43:

The Americans' uncritical support of Mexico may have helped to spread drug corruption in that country over the past decade.

I will never forget, a good 15 years ago or so, when Senator Howard Baker, Senator Paul Laxalt, Senator Simpson from Wyoming, and myself, we were down in Mexico. We had a briefing at that time by President de la Madrid. At that time everything was just peaches and cream. We were getting along fine. We were moving forward on then the drug program and enforcement. I had gone downstairs and forgotten my jacket, raced back up to get it, and President de la Madrid at the time was briefing the Mexican press. My consulate there was interpreting for me. He was giving us unshirted dickens. He said, "We told those gringos from the north that we weren't going to stand for this, we weren't going to do this," that was a report of a totally different meeting than which we had.

My point is they have constantly used the United States against their

particular opposition, time and again, in order to maintain office. In that light, I want to say again what I said at the hearing with Secretary Madeleine Albright at the subcommittee for State, Justice, Commerce on last Thursday afternoon, whereby I was counseling Secretary Albright, immediately after her statement about Mexico and the great progress we were making in the drug effort. I said I didn't want to sound as an upstart, I certainly did not want to sound impudent in any way, but what I had just heard from the Secretary was State Department boilerplate.

Why did I say it was State Department boilerplate? I read, back in the record, the statement made by Warren Christopher 4 years ago. It was almost word for word just exactly what Secretary Albright was saying. You can go back to Secretary of State Baker's statement and I will show you it is almost the same thing. From hard experience, I have learned that Senator FEINSTEIN is on target and doing this Nation a wonderful service. As she points out this influx of drugs is a cancer that is spreading into small towns and communities all over the Nation. It is going to take some harsh action of some kind. We have to break this notion that we are neighbors and can't speak freely about our problems. The situation in Mexico is spinning out of control. The head of the drug effort down there in Mexico, turns out to be an associate of the drug cartels. Yet we had him here for 12 days of meetings.

The problem in Mexico was highlighted in the *Dallas Morning News*:

"The intelligence on corruption, especially of drug traffickers, has always been there," said Phil Jordan, who headed DEA's Dallas office from 1984 to 1994, "but we were under instructions not to say anything negative about Mexico. It was a no-no, since NAFTA was a hot political football."

Well, there you are. What we are doing is following a policy to protect our financial interests; our Wall Street, or our economic interests, which of course has not worked out. But that is the motivation. That is the influence, and not really getting to the drugs and the gangs and the corruption and the law enforcement and crime problem that we have in this country.

So, where I indicated I would withhold because I thought it would cause too much damage and I didn't have enough to work with, I went to General McCaffrey's statement. This was in an open session not—a secure briefing. When asked, "If this decertification initiative passed here and Mexico was decertified, what would happen," he said—I almost quote it word for word—"we would not be able to work with our friends on drugs."

The conclusion of this Senator is we have the wrong friends. We have the wrong friends. We have been going through, as Bob Dole says: Same act, same scene, been there, done that, again and again and again. Until we take up something like the Feinstein

initiative, here, we are not going to get any results.

Immediately, there is the overreaction. The Senator from New Mexico, Senator DOMENICI, was at the hearing. He said, "Oh, I differ with Senator HOLLINGS absolutely. We don't want to overthrow President Zedillo."

I don't want to overthrow President Zedillo. I know from the politics of Mexico that is the best chance that he stays on, if the United States jumps him; then he is secure in office politically. That is not the intent. I think the man is honest. I think he is working hard at it. But I think it is too great a problem for him. And I think there are going to have to be some changes down there. I don't see how a decertification initiative of this kind, with the evidence at hand, should upset or overthrow.

I was called by the Albuquerque paper over the weekend, that I suggested we overthrow Zedillo. That is how things can get that far out of hand. That is nonsense. If he is that weak that a decertification initiative here, with the facts at hand, would cause him to lose office, then he is very weak and I think maybe that is the problem.

I think it would be a problem for me, you, or anyone else down there. This thing has grown bigger than us all and it is going to take this kind of approach to bring ourselves to any kind of results and stop this. Because it has been going on year in and year out and we have given way to our economic interests in order to continue. As the London Economist says, "The American's uncritical support of Mexico may have helped to spread drug corruption in that country over the past decade."

I agree with that statement. That is an editorial, lost in a news column. We ought to take heed and I am delighted, at this time, to join in, and I thank Senator FEINSTEIN for enlisting me as a cosponsor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HUTCHINSON. 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. HUTCHINSON. Mr. President, I stand here today in full support of House Joint Resolution 58 and Senate Joint Resolution 21, resolutions expressing Congress' disapproval of the President's certification to Congress that Mexico has fully cooperated with United States antinarcotics efforts during the last year.

Section 490 of the Foreign Assistance Act dutifully permits Congress to disapprove Presidential certifications made under this section if it enacts a joint resolution to that effect.

The importance of Mexico's full cooperation with United States antinarcotic efforts cannot be over-

stated. Drug use among American teenagers has nearly doubled in the last 5 years. Most importantly, more than 70 percent of illegal narcotics entering the United States comes from the Nation of Mexico.

Mr. President, as we all know, on February 28, the Clinton administration certified that Mexico cooperated fully with United States efforts to combat international narcotics trafficking during 1996. However, on February 27, 1 day before the President issued the certification, the day before the administration received a bipartisan letter from 39 Senators, myself included, urging our Government to deny certification to Mexico, the facts unequivocally show that Mexico has not fully cooperated with the United States.

Seventy percent of the illicit drugs that enter the United States still enter through Mexico. There has been no change in those figures or on that front.

The DEA says that Mexican drug traffickers are manufacturing massive and unprecedented quantities of high purity meth and supplying it to distribution networks here in the United States which are destroying our youth and creating a new front in the drug war.

Not 1 Mexican national out of the 100 or more the United States wants currently for trial here in the United States on serious drug charges has been extradited to the United States, despite the numerous requests that our Government has issued to the Mexican Government.

Our own DEA Administrator, Thomas Constantine, has recently said:

There has been little or no effective action taken against the major Mexican-based cartels. . . . The Mexicans are now the single most powerful trafficking group—worse [even] than the Colombian cartels.

Mexico's counternarcotics effort is plagued by corruption in the Government and in the national police. Among the evidence are that eight Mexican prosecutors and law enforcement officials have been murdered in Tijuana in recent months. The revelation that Gen. Jesus Gutierrez Rebollo, Mexico's top counternarcotics official and a 42-year veteran of the armed forces, had accepted bribes from the cartels casts grave doubts upon Mexico's ability to curb corruption at the highest levels of its own Government.

While there have been increases in the amount of heroin and marijuana seized by Mexican authorities, cocaine seizures remain low. The 1996 levels are half those seized in 1993. And the same holds true on drug-related arrests; they are half the figure of the 1992 level.

Lastly, on the eve of full certification to Mexico, the Mexican police released a notorious money launderer linked to a major drug dealer, and the United States was informed of this fact only after certification was announced. The Mexican police officers who released the individual are now under in-

vestigation as a result of this early release.

In the face of these substantive facts, President Clinton still certified that Mexico was fully cooperating with our antidrug efforts. As a father of three, I cannot in good faith be witness to the corruption of the well-being of America's children.

Mr. President, the resolutions before us are simple. Mexico has failed with regard to antidrug cooperation; however, the President has certified giving them a passing grade.

I say to Members of the Senate, both of these resolutions contain a waiver provision that would permit the President to continue both bilateral assistance and multinational development assistance for Mexico. By adopting these resolutions we are declaring that Mexico has not fully cooperated and therefore should not receive the United States certification.

Mr. President, based on the facts, including the national interest waiver, we must send a message to the Nation of Mexico that the administration made the wrong decision and that these resolutions will set that record straight while preserving stability in our relationship with Mexico.

So, Mr. President, I urge the adoption of both House Joint Resolution 58 and S.J. Res. 21 for the good of the Nation and for the good of our children.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. 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. DEWINE. Will the Senator yield?

Mr. DORGAN. I would be happy to.

Mr. DEWINE. Mr. President, I ask unanimous consent that after my colleague is done speaking that I have 10 minutes.

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

Mr. DEWINE. I thank the Senator very much.

#### THE ROAD AHEAD IN TELECOMMUNICATIONS

Mr. DORGAN. Mr. President, I rise today to offer some reflections to express some concerns about the direction of the implementation of the Telecommunications Act of 1996.

It has been over a year since this landmark legislation was enacted. To my dismay, and I think to the dismay of some others, some of the concerns that I and others expressed a year ago are now concerns that are more real than when we expressed them.

As the dust begins to settle after the major titans in the telecommunications industry battled for advantage under this act, the consumers, unfortunately, appear perhaps to be the losers.