

to a head, and it came to a head the week before the autopsy searchers were to testify.

And on Friday afternoon, Joe Ball and I went out to Bethesda to talk to the autopsy surgeons. It was a Friday afternoon, much like a Friday afternoon in the Senate. Nobody else was around. It was my area, but I was looking for some company, so I asked Joe Ball to accompany me—the autopsy surgeons falling in my area. We took the ride out to Bethesda and met the commanding admiral and introduced ourselves. We didn't have any credentials. The only thing we had to identify ourselves as working on the Warren Commission was a building pass for the VFW. My building pass had my name typed crooked on the line, obviously having been typed in after it was signed. They sign them all and then type them in. It didn't look very official at all.

So when Commander Humes and Commander Bozwell came down to be interviewed, Commander Humes was very leery about talking to anybody. He had gone through some travail with having burned his notes and having been subjected to a lot of comment and criticism about what happened at the autopsy, and there were FBI agents present when the autopsy was conducted. A report had come out that the bullet that had entered the base of the President's neck had been dislodged during the autopsy by massage. It had fallen out backward as opposed to having gone through the President's body, which was what the medical evidence had shown.

That FBI report that the bullet had entered partially into the President's body and then been forced out had caused a lot of controversy before the whole facts were known. Later, it was determined that the first shot which hit the President—he was hit by two bullets—well, the second shot, which hit him in the base of the skull, was fatal, entering the base of the skull and exiting at the top at 13 centimeters, 5 inches—the fatal wound. The first bullet which hit the President passed between two large strap muscles, sliced the pleural cavity, hit nothing solid and came out, and Governor Connally was seated right in front of the President and the bullet would have to have hit either Governor Connally or someone in the limousine.

After extensive tests were conducted, it was concluded that the bullet hit Governor Connally. There has been a lot of controversy about the single bullet theory, but time has shown that it is correct. A lot of tests were conducted on the muzzle velocity of the Oswald rifle. It was identified as having been Oswald's, purchased from a Chicago mail order store. He came into the building with a large package which could have contained the rifle. He said they were curtain rods for an apartment which already had curtains. The muzzle velocity was about 2,200 feet per second, and the velocity after traveling

about 275 feet was about 1,900 feet per second.

At any rate, as Joe Ball and I went through it with the autopsy surgeons, we found for the first time—because we had only seen the FBI reports—that the bullet did go through President Kennedy and decreased very little in velocity. It was at that moment when we talked to Dr. Humes and Dr. Finck that we came to hypothesize that that bullet might have gone through Governor Connally. We didn't come to a conclusion on that until we had reviewed very extensive additional notes, but it was on that occasion that Joe Ball and I had interviewed the autopsy surgeons. It was a marvel to watch Joe Ball work with his extensive experience as a lawyer and as a fact finder.

He lived to the ripe old age of 97. The New York Times obituary had very extensive compliments about a great deal of his work and focused on his contribution to the Warren Commission, where he had written an extensive portion of the Warren Report, as he was assigned to area two which compiled a fair amount of the report.

America has lost a great patriot in Joe Ball, a great citizen, a great lawyer, and a great contributor. I had the pleasure of knowing him and working with him on the Warren Commission staff and have had occasion to reminisce with him about his work. I noted that on his office wall in California is his elegantly framed building pass.

In the absence of any other Senator seeking recognition, 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.

#### EXHIBIT 1

[From the New York Times, Sept. 30]

J.A. BALL, 97, COUNSEL TO WARREN COMMISSION  
(By Eric Pace)

Joseph A. Ball, a California trial attorney who was a senior counsel to the Warren Commission, which investigated the assassination of President John F. Kennedy, died on Sept. 21 in Long Beach, Calif. He was 97 and a longtime resident of Long Beach.

At his death, Mr. Ball was a partner in the Los Angeles office of the Hawaii-based law firm Carlsmith Ball. He had been a partner in that firm and its predecessor in Los Angeles for five decades.

Mr. Ball, who wrote crucial portions of the commission's report, was selected for the commission by United States Chief Justice Earl Warren, who had come to know him in California's political world.

At that time, Mr. Ball was 61, a leading criminal lawyer, a member of the Supreme Court's Advisory Committee on the Federal Rules of Criminal Procedure and a professor at the University of Southern California Law School.

In January 1964, he was appointed as one of six senior lawyers who, each assisted by a younger colleague, were to handle one of six broad areas of inquiry.

Mr. Ball and David W. Belin, a lawyer from Des Moines who was chosen to assist him, concentrated on the area they called "the determination of who was the assassin of President Kennedy."

"About 10,000 pieces of paper were then rolled into my office; the written reports of various investigative agencies, including the F.B.I., the Dallas Police and the Central Intelligence Agency," Mr. Ball wrote in 1993. "During the first month of the investigation, we classified the information found in the reports by means of a card index system. This permitted the immediate retrieval of this information." Witnesses were also questioned during the inquiry.

Mr. Belin wrote in 1971, after the Commission's report had been criticized, that "despite the success of the assassination sensationalists in deceiving a large body of world opinion, the Warren Commission Report will stand the test of history for one simple reason: The ultimate truth beyond a reasonable doubt is that Lee Harvey Oswald killed both John F. Kennedy and J.D. Tippit on that tragic afternoon of Nov. 22, 1963."

Office Tippit was a Dallas police officer whom Oswald shot shortly before shooting Kennedy.

The commission's final report was sent to President Lyndon B. Johnson in September 1964.

Mr. Ball was a president of the American College of Trial Lawyers and of the State Bar of California.

The Joseph A. Ball Fund to benefit American Bar Association programs of public service and education and to honor excellent attorneys was named in his honor.

He was born in Stuart, Iowa, and received a bachelor's degree in 1925 from Creighton University in Nebraska and his law degree in 1927 from the University of Southern California.

He married Elinor Thon in 1931. After her death, he remarried. He also outlived his second wife, Sybil.

He is survived by a daughter JoEllen; two grandchildren; and two great-grandchildren.

Mr. Ball recalled in 1993: "In 1965, I called Chief Justice Warren on the telephone. I said, 'Chief, these critics of the report are guilty of misrepresentation and dishonest reporting.' He replied, 'Be patient; history will prove that we are right.'"

The PRESIDING OFFICER (Mr. KYL). The Senator from Iowa is recognized.

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

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

#### DRUG FIGHTING AGENCIES

Mr. GRASSLEY. Mr. President, I am often critical of this Administration's happy-go-lucky ways when it comes to drug policy. The administration is like the grasshopper in the old fable. It's out there fiddling around when it ought to be working. That said, I do not mean this criticism to detract from the fine work done by the many men and women in our law enforcement agencies. These fine people risk their lives every day to do important and difficult work on behalf of the public.

I want to take a moment to highlight some of the achievements and invaluable service provided to this nation by the men and women of the Drug Enforcement Administration (DEA), the U.S. Customs Service, and the U.S. Coast Guard. As chairman of the Senate Caucus on International Narcotics Control, I would like to express my

thanks and make known the tremendous pride that I think we should all have in the good people in these agencies.

The men and women of the DEA, Customs, and the Coast Guard are dedicated to the protection of the United States and to ensuring the safety of our children and our lives from the devastating effects of the drug trade. They are called on daily to place their lives in harm's way in an effort to keep our nation secure. When they are boarding smugglers' vessels on the seas. When they stop terrorists at the border. When they investigate narcotics trafficking organizations around the globe. When they dismantle clandestine methamphetamine labs, engage in undercover operations, safeguard our ports of entry, or shut down ecstasy peddling night clubs, these fine people risk their lives and well being for all of us.

DEA efforts this year include Operation Mountain Express, which arrested 140 individuals in 8 cities, seized \$8 million and 10 metric tons of pseudoephedrine tablets, which could have produced approximately 18,000 pounds of methamphetamine. In addition, DEA's Operation Tar Pit, in cooperation with the FBI, resulted in nearly 200 arrests in 12 cities and the seizure of 41 pounds of heroin. The heroin ring they busted was peddling dope to kids, many of whom died. DEA, in conjunction with State and local law enforcement, has also aggressively dismantled hundreds of clandestine methamphetamine labs that poison our urban streets and rural communities.

The United States Customs Service has seized over 9,000,000 Ecstasy tablets in the last 10 months. Ecstasy is an emerging problem that affects not only our large cities but many rural areas, including my home State of Iowa. In addition, their Miami River operations have resulted in the seizure of 18 vessels, mostly arriving from Haiti, and over 7,000 pounds of cocaine—a small portion of the over 122,000 pounds of cocaine seized this fiscal year. Finally, the Customs Service has seized over 1 million pounds of marijuana and over 2,000 pounds of heroin as well, often in very risky situations.

Coast Guard successes this year include a record-breaking seizure total of over 123,000 pounds of cocaine, including many major cases in the Eastern Pacific. This effort went forward even while still interdicting over 4,000 illegal alien migrants bound for U.S. shores. In addition, the deployment of two specially equipped interdiction helicopters in Operation New Frontier had an unprecedented success rate of six seized go-fast vessels in six attempts.

Finally, as announced last month, a joint DEA and Customs investigation—supported by the Coast Guard and Department of Defense—concluded a 2 year multinational case against a Colombian drug transportation organization. The result was the arrest of 43

suspects and the seizure of nearly 25 tons of cocaine, with a retail street value of \$1 billion. Operation Journey targeted an organization that used large commercial vessels to haul multi-ton loads of cocaine. This organization may have shipped a total of 68 tons of cocaine to 12 countries in Europe and North America.

I believe we should all be proud of the jobs these folks do on our behalf.

#### FAST PITCH IS FOUL BALL

Mr. GRASSLEY. Mr. President, the administration is at it again. Late last month, it issued its findings from the latest Household Survey on drug use in America. You would have to look fast to find anything about it. As usual, the administration chose to release the information when no one was looking. And as usual, they did this hoping no one would notice. Given that the majority of the press did not bother to do more than rephrase the press release from the Department of Health and Human Services, it would be hard to figure out just what the 300-odd page report actually said anyway. But neither the press release nor the news accounts do justice to what is not happening. What is not happening is the fact that the drug use picture is not getting any better.

When it comes to drugs, the administration just can't say it straight.

It continues the trend of its incumbency of labeling bad news or good news and counting on the press to not look beyond the hype. In releasing the latest data, Secretary Shalala says that the report shows the continuing downward trend in drug use. She remarked at the press conference that, "We've not only turned the corner—we're heading for home plate,"—suggesting that the report shows that the administration has hit a home run.

I'm not sure at which game Secretary Shalala is playing, but the most generous interpretation is that she clearly is not reading her own reports or her staff is not telling her what's in them. She needs new glasses or new staff. Despite this happy talk, even HHS's own press release notes that, "Illicit drug use among the overall population 12 and older remained flat." That may be a home run down at HHS but in plain English that means "no change." In my book, "flat" does not mean continuing a downward trend.

I suppose in an election year "no change" in how many people are using drugs is a sign of success. Least ways, that's how this administration sees it. Or, wants you and me to see it. But when you actually get down into the numbers, this "success" is not all it appears to be. It shares something with the Cheshire cat—it disappears when you look at it. In true Alice in Wonderland logic, down is not always not up. To follow Shalala's analogy with baseball, what we have here is not a home run but the runner rounding the bases on a foul ball.

Before I get to actual numbers, let me say something on background about this year's report. The thing to note is that the administration has changed the methodology for how it collects data for the report. Why is that important? Here's what the report says: "Because of the differences in methodology and impact of the new survey design on data collection, only limited comparisons can be made between data from the 1999 survey and data from surveys prior to 1999."

Now, in those years since 1993, that data show dramatic increases in drug use on this administration's watch. During each of those years, however, the administration tried to put a "spin" on the information, calling bad news good news. Instead of doing that any more, they have decided to play hide and seek with the information. Don't like the results? Well . . . Change the way you figure them and declare success. As with the Cheshire cat, pretty soon all you're left with is the smile. Even this little bit of sleight of hand, however, does not wholly work.

It's really very simple. There has been no significant change for the better in the rate of past month drug use on this administration's watch. More seniors graduating from high school today report using drugs than in any year since 1975. Almost 55 percent of high school seniors now report using an illegal drug before graduation.

Use of heroin among young people is on the rise. We are in the midst of a methamphetamine epidemic. If reports are accurate, we are awash in Ecstasy and its use among the young is accelerating. The rate of illicit drug use has increased in six out of the last seven years.

The administration tries to hide this fact by reporting on a decline of use among 12-17-year-olds in hopes no one will notice an increase among 18-25-year-olds. But this is a statistical game. Although there is an unfortunate trend in the onset of drug use at earlier ages, onset begins most typically among 15-18-year-olds. By including the earlier years in the count, you disguise the true rate of increase.

Even allowing for the moment that the administration spin is true, however, does not change the fact that youthful use of drugs continues spiraling upwards.

Today's use levels are 70 percent higher than when this administration took office. The numbers are not getting better. Yet, we have another report and another press release touting victory. This is shameful and to call it anything else is a sham.

And just as bad, fewer kids are reporting that using illicit drugs is dangerous—a sure sign of future problems. Especially at a time when we have a well-monied, aggressive legalization campaign that this administration has done little to counter. And this despite a \$200 million-a-year ad campaign aimed at exactly these age groups that