

the parties as well as the agents of the copyright adjudication system. I support H.R. 1417, and I urge my colleagues to do likewise.

Mr. CONYERS. Mr. Speaker, I rise in support of this legislation. In the past 2 years, the Committee has held two hearings on concerns with the CARP, the system that sets royalty rates for copyrighted content. People on both sides, the owners and buyers, agree that the current system needs changes. Based on that, subcommittee Chairman SMITH, subcommittee Ranking Member BERMAN, and I introduced legislation, H.R. 1417, that would make substantial procedural changes.

We heard the current system is costly because the copyright owners and users have to pay for the arbitrators. Because copyright law subjects copyright owners and users to a compulsory process, we believe the law should not place this additional financial burden on them. Our bill creates three Copyright Royalty Judges who would be paid from appropriated funds to set royalty rates and distribute royalty fees.

Another complaint was that the CARP does not have adequate rules on how to address hearsay evidence. This bill explicitly requires that the Judges treat hearsay evidence in the same manner that it is treated in Federal court. This will bring uniformity to the proceedings for parties on both sides of royalty disputes.

This bill also alters the terms for which certain royalty rates are in effect. Rates that are determined by the Judges will be in effect for 5 years. This should create some predictability and uniformity for those who rely on the Judges' determinations.

Finally, parties on both sides argued that the substantive standards that the CARP uses to set royalty rates should be changed somehow. In an effort to reach a compromise and pass a bill that does not alter any substantive rights, this bill changes only the procedure for rate settings and distributions.

There will be a substitute amendment to the bill that was worked out by the majority, minority, and all groups interested in the CARP process. I hope we can continue to work on resolving any outstanding issues and moving this bill through the other body.

I urge my colleagues to vote "yes" on this bill as amended.

Mr. BERMAN. Mr. Speaker, seeing no other speakers seeking recognition on my side of the aisle, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time as well.

The SPEAKER pro tempore (Mr. SHAW). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1417, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further

proceedings on this motion will be postponed.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

#### HONORING THE MEN AND WOMEN OF THE DRUG ENFORCEMENT ADMINISTRATION ON ITS 30TH ANNIVERSARY

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 412) honoring the men and women of the Drug Enforcement Administration on the occasion of its 30th anniversary.

The Clerk read as follows:

##### H. RES. 412

Whereas the Drug Enforcement Administration (DEA) was first created by executive order on July 6, 1973, merging the previously separate law enforcement and intelligence agencies responsible for narcotics control;

Whereas the first Administrator of the DEA, John R. Bartels, Jr., was confirmed by the Senate on October 4, 1973;

Whereas since 1973 the men and women of the DEA have served our Nation with courage, vision and determination, protecting all Americans from the scourge of drug trafficking, abuse, and related violence;

Whereas between 1986 and 2002 alone, DEA agents seized over 10,000 kilograms of heroin, 900,000 kilograms of cocaine, 4,600,000 kilograms of marijuana, 113,000,000 dosage units of hallucinogens, and 1,500,000,000 dosage units of methamphetamine, and made over 443,000 arrests of drug traffickers;

Whereas DEA agents continue to lead task forces of Federal, State, and local law enforcement officials throughout the Nation, in a cooperative effort to stop drug trafficking and put drug gangs behind bars;

Whereas throughout its history many DEA employees and members of DEA task forces have given their lives in the defense of our Nation, including: Emir Benitez, Gerald Sawyer, Leslie S. Grosso, Nickolas Fragos, Mary M. Keehan, Charles H. Mann, Anna Y. Mounger, Anna J. Pope, Martha D. Skeels, Mary P. Sullivan, Larry D. Wallace, Ralph N. Shaw, James T. Lunn, Octavio Gonzalez, Francis J. Miller, Robert C. Lightfoot, Thomas J. Devine, Larry N. Carwell, Marcellus Ward, Enrique S. Camarena, James A. Avant, Charles M. Bassing, Kevin L. Brosch, Susan M. Hoefler, William Ramos, Raymond J. Stastny, Arthur L. Cash, Terry W. McNett, George M. Montoya, Paul S. Seema, Everett E. Hatcher, Rickie C. Finley, Joseph T. Aversa, Wallie Howard, Jr., Eugene T. McCarthy, Alan H. Winn, George D. Althouse, Becky L. Dwojeski, Stephen J. Strehl, Richard E. Fass, Juan C. Vars, Jay W. Seale, Meredith Thompson, Frank S. Wallace, Jr., Frank Fernandez, Jr., Kenneth G. McCullough, Carrol June Fields, Rona L. Chafey, Shelly D. Bland, Carrie A. Lenz, Shaun E. Curl, Royce D. Tramel, Alice Faye Hall-Walton, and Elton Armstead;

Whereas many other employees and task force officers of the DEA have been wounded or injured in the line of duty; and

Whereas in its 173 domestic offices and 78 foreign offices worldwide the over 8,800 employees of the DEA continue to hunt down and bring to justice the drug trafficking cartels that seek to poison our citizens with dangerous narcotics: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) congratulates the DEA on the occasion of its 30th Anniversary;

(2) honors the heroic sacrifice of those of its employees who have given their lives or been wounded or injured in the service of our Nation; and

(3) thanks all the men and women of the DEA for their past and continued efforts to defend the American people from the scourge of illegal drugs.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. PAUL. Mr. Speaker, I want to inquire on whether or not the gentleman on the other side is in opposition to the bill.

The SPEAKER pro tempore. The Chair asks the gentleman from Virginia (Mr. SCOTT), is he opposed to the motion?

Mr. SCOTT of Virginia. Mr. Speaker, I am not opposed to the motion.

Mr. PAUL. In that case, Mr. Speaker, I request the time in opposition.

The SPEAKER pro tempore. Under clause 1(c) of rule XV, the Chair recognizes the gentleman from Texas (Mr. PAUL) to control the time in opposition to the motion.

The Chair now recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

##### GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H. Res. 412, the resolution currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield 10 minutes, half my time, to the gentleman from Virginia (Mr. SCOTT), and I ask unanimous consent that he be allowed to yield portions of that time as he sees fit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on July 6, 1973, President Richard Nixon first created the Drug Enforcement Administration. The agency was created to address a growing drug problem in the United States. The DEA was the merger of separate law enforcement and intelligence agencies that shared responsibility for enforcing controlled substance laws. At the time, Congress and the administration recognized an increase in the use and the availability of illegal drugs in this country. According to DEA statistics in 1960, only 4 million Americans had ever tried drugs. That number is currently over 74 million.

The DEA continues to defend our Nation from the scourge of illegal drugs. It not only enforces the controlled substances laws and regulations of the United States, but the agency also recommends and supports nonenforcement programs aimed at reducing the availability of illicit controlled substances on the domestic and international markets.

This mission is as relevant today as it was 30 years ago when the DEA was created. The families and communities affected by drug abuse recognize the important work that the DEA performs. The DEA's steadfast commitment to bringing drug traffickers to justice is crucial to protecting our communities.

The DEA leads task forces of Federal, State and local law enforcement officials throughout the Nation in a cooperative effort to stop drug trafficking. However, these partnerships are not limited to our borders, as evidenced by the more than 70 field offices worldwide.

The efforts of the DEA domestically and abroad are vital to our national security. The war on terrorism is fought on many fronts, including drug trafficking. It is apparent that there have been connections between the drug trade and terrorist activities. The DEA will continue this fight in an effort to remove another avenue of financing for terrorism.

Today, this Congress recognizes the important work of this agency and thanks its employees, both past and present, for their continued efforts to block the flow of drugs into America's cities and towns. This resolution also acknowledges that the war on drugs is not without loss and gives special recognition to those who have lost their life or who have been injured in pursuit of this noble cause.

I urge my colleagues to support this resolution to honor the men and women who have served, and continue to serve, our country as a part of the Drug Enforcement Administration.

Mr. Speaker, I reserve the balance of my time.

Mr. PAUL. Mr. Speaker, I yield myself such time as I may consume.

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. Mr. Speaker, I rise in opposition to the resolution but obviously not because we should not honor the men who were asked to do their duty and lost their lives. It is for another reason.

I would like to call attention to my colleagues and to the Congress the lack of success on the war on drugs. The war has been going on for 30 years. The success is not there, and I think we are deceiving ourselves if we think that everything is going well and that we have achieved something, because there is really no evidence for that. Not only that, there have been many unintended consequences that we fail to look at, and I want to take this time to make

that the point and try to get some of us to think that there may be another way to fight the war on drugs.

I do not know of anybody who likes drugs and advocates the use of drugs. I as a physician am strongly opposed to the use of drugs. It is just that the techniques make a big difference. We are talking about bad habits, and yet we are resorting to the use of force, literally an army of agents and hundreds of billions of dollars over a 30-year period, in an effort to bring about changes in people's habits. Someday we are going to have to decide how successful we have been. Was it a good investment? Have we really accomplished anything?

Another reason why I am taking this time to express an opposition is that the process has been flawed. After World War I, there was a movement in this country that believed that too many Americans had bad habits of drinking too much alcohol, and of course, if we really want to deal with a bad drug, alcohol is it. Many, many more die from alcoholism and drunken driving and all kinds of related illnesses, but the country knew it and they recognized how one dealt with those problems.

The one thing that this country recognized was that the Congress had no authority to march around the country and tell people not to drink beer, and what did they do? They resorted to amending the Constitution, a proper procedure, and of course, it turned out to be a failed experiment. After 12 years, they woke up and the American people changed it.

We have gone 30 years and we have not even reconsidered a new approach to the use of drugs and the problems that we face.

Another thing that is rather astounding to me, is that not only have we lost the respect for the Constitution to say that the Federal Government can be involved in teaching habits, but we literally did this not even through congressional legislation.

□ 1115

The DEA was created by an executive order. Imagine the size of this program created merely by a President signing an executive order. Of course, the ultimate responsibility falls on the Congress because we acquiesce and we vote for all the funding. The DEA has received over \$24 billion in the past 30 years, but the real cost of law enforcement is well over \$240 billion when we add up all the costs.

And then if we look at the prison system, we have created a monstrosity. Eighty-four percent, according to one study, 84 percent of all Federal prisoners are nonviolent drug prisoners. They go in and they come out violent. We are still talking about a medical problem. We treat alcoholism as a medical problem, but anybody who smokes a marijuana cigarette or sells something, we want to put them in prison. I think it is time to stop and reevaluate this.

One other point is that as a physician I have come to the firm conclusion that the war on drugs has been very detrimental to the practice of medicine and the care of patients. The drug culture has literally handicapped physicians in caring for the ill and the pain that people suffer with terminal illnesses. I have seen doctors in tears coming to me and saying that all his wife had asked me for was to die not in pain; and even he, as a physician, could not get enough pain medication because they did not want to make her an addict. So we do have a lot of unintended consequences.

We have civil liberty consequences as well. We set the stage for gangsters and terrorists raising money by making weeds and wild plants and flowers illegal. If someone could say and show me all of a sudden that the American people use a lot less drugs and kids are never tempted, it would be a better case; but we do not have the evidence. We have no evidence to show that 30 years of this drug war has done very much good. Matter of fact, all studies of the DARE program show that the DARE program has not encouraged kids to use less illegal drugs. So there is quite a few reasons why we ought not to just glibly say to the DEA it's been a wonderful 30 years and encourage more of it.

The second part of the resolution talks about the sacrifice of these men. To me, it is a tragedy. Why should we ever have a policy where men have to sacrifice themselves? I do not believe it is necessary. We gave up on the prohibition of alcohol. I believe the drug war ought to be fought, but in a much different manner.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Wisconsin for the courtesy of yielding me this time.

Mr. Speaker, I rise in support of this resolution and urge my colleagues to support it. House Resolution 412 commemorates the 30th anniversary of the Federal Drug Enforcement Agency and recognizes the contributions and achievements of its current 8,800 employees working in 173 domestic offices and 78 foreign offices worldwide.

The resolution also specifically recognizes the sacrifices of those employees who have given their lives in the line of duty and those who have been wounded or injured.

So I am pleased to join my colleagues in recognizing the dedicated hard work and sacrifice of the men and women of the DEA on this occasion commemorating the 30th anniversary of this agency.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. SOUDER).

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Speaker, today we honor the men and women of the Drug Enforcement Administration on the occasion of its 30th anniversary. I would like to thank the House leadership and the chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER), for bringing this resolution to the floor; and I would particularly like to thank all those who have cosponsored my resolution, especially the gentleman from Maryland (Mr. CUMMINGS), the ranking member of the Subcommittee on Criminal Justice, Drug Policy and Human Resources of the Committee on Government Reform, and the gentleman from Georgia (Mr. DEAL), the vice chairman of that subcommittee. I am pleased we were able to introduce this legislation on a bipartisan basis, emphasizing our shared goal of preventing drug abuse.

If I may just briefly comment on a few of the remarks of my friend, the gentleman from Texas (Mr. PAUL), our libertarian conscience in the House. He is an eloquent spokesman for limited Federal Government and votes against most resolutions here, and he works as our conscience. However, he is deeply wrong on this issue. We have, in fact, made progress on drug abuse this past year, 10 percent reduction. We have had a dramatic reduction. But it is hard to battle addiction across America, just as it is in child abuse, spousal abuse, and other things that the gentleman from Texas would oppose the Federal Government being involved in.

We have a philosophical difference, but the gentleman should not disparage the efforts of the DEA and the hard work so many people do in trying to prevent the 20,000 deaths per year that occur because of drug abuse in America.

Mr. Speaker, in the aftermath of September 11, we have often recognized and honored the men and women responsible for preventing and responding to terrorist attacks on our country, and rightly so; but we should never forget the terrible toll that drug abuse continues to take on America, nor those who bravely seek to stop it. According to the Center for Disease Control, every year 20,000 American lives are lost as a direct consequence of illegal drug use, and much more devastation beyond those 20,000 in indirect loss of life.

The Office of National Drug Control Policy estimates that the annual economic cost of drug abuse to the U.S. in lost productivity, health care costs, and wasted lives is now well over \$150 billion. Every year, drug traffickers seek further profit from this misery by importing, manufacturing, and selling these poisons on our streets and in our communities. It is a traffic in death as devastating as anything the more visible terrorists have done. The task of stopping this falls on our law enforce-

ment agencies, and no agency is more dedicated to that struggle than the DEA.

Thirty years ago, on July 6, 1973, President Nixon signed the executive order creating the DEA from several previously separate agencies, more efficient government, including the Justice Department's Bureau of Narcotics and Dangerous Drugs, the Office of Drug Abuse Law Enforcement, the Office of National Narcotics Intelligence, the White House's Narcotics Advanced Research Team, and the Drug Investigations branch of the U.S. Customs Service. On October 4, 1973, the Senate confirmed the first administrator of the DEA, John R. Bartels, Jr., inaugurating a new era in the Nation's fight against drug abuse.

The DEA has carried on that fight on every front: at the borders, in our cities and small towns and rural areas across the country. As the Federal Government's only single-mission agency dedicated to narcotics control, the DEA has taken the lead in breaking the international cartels that bring cocaine, heroin, ecstasy, methamphetamine precursors and marijuana into the U.S. In partnership with other Federal, State, and local law enforcement agencies, the DEA has organized task forces that investigate, penetrate, and bust the street gangs and other distribution networks selling drugs on the streets.

The numbers speak volumes about the DEA's success. But these numbers, impressive as they are, cannot fully convey what the DEA has done for our Nation. We are also here to remember the personal sacrifices of thousands of men and women who have served America as DEA agents and members of DEA task forces. I would like to highlight just a few of these agents.

Special Agent Benitez was shot. He was a Customs officer, and then he worked as one of the first Special Agents in DEA. In 1973, he was fatally shot during an undercover investigation of cocaine dealers. He was only 28 and is survived by his wife and daughter.

Special Agent Ward of Baltimore, Maryland, was assigned to DEA in Baltimore. He was the husband and father of two, and was a 13-year police department veteran who had earned numerous medals and commendations. On December 3, 1984, at the age of 36, he was shot and killed while working on an undercover assignment.

Special Agent Enrique Camarena was a Marine, a husband, and the father of three children. He received two Sustained Superior Performance Awards, a Special Achievement Award, and the Administrator's Award of Honor, the highest award granted by the DEA. On February 7, 1985, he was kidnapped, tortured, and eventually killed by Mexican drug traffickers while working in Mexico.

These people died trying to defend us and our children on the streets of the United States from the scourge of drugs.

This is Police Investigator Wallie Howard of the Syracuse, New York, Police Department. He was a 9-year veteran who worked for DEA's central office in New York and was shot during an undercover operation in Brooklyn when they attempted to rob him. He was only 31.

This is Special Agent Meredith Thompson, who joined DEA in 1985 and was a tireless worker. At the age of 33, she was one of five special agents killed in 1994 in a special reconnaissance mission in Peru.

These people died. And these are just five who have died trying to protect us, our children, and our families from the wreck of cocaine, of heroin, and of marijuana that does incredible damage. And were they not on the streets and were they not sacrificing their lives, so many more than the 20,000 would have died.

Mr. Speaker, today we honor the men and women of the Drug Enforcement Administration on the occasion of its 30th anniversary. I'd like to thank the House leadership and Chairman SENSENBRENNER of the Judiciary Committee for assisting us in bringing this resolution to the floor; and I'd particularly like to thank all those who co-sponsored the resolution, especially Mr. CUMMINGS, the ranking member of the Drug Policy Subcommittee that I chair, and Mr. DEAL, the vice-chairman. I am very pleased that we were able to introduce this resolution on a bipartisan basis, emphasizing our shared goal of preventing drug abuse.

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The task of stopping this falls on our law enforcement agencies, and no agency has been more dedicated to that struggle than the DEA. Thirty years ago, on July 6, 1973, President Nixon signed the executive order creating the DEA from several previously separated agencies, including the Justice Department's Bureau of Narcotics and Dangerous Drugs, the Office of Drug Abuse Law Enforcement, the Office of National Narcotics Intelligence, the White House's Narcotics Advance Research Team, and the Drug Investigations branch of the U.S. Customs Service. On October 4, 1973, the Senate confirmed the first Administrator of the DEA, John R. Bartels, Jr., inaugurating a new era in our nation's fight against drug abuse.

The DEA has carried on that fight on every front—at the borders, in our cities, and in

small towns and rural areas across the country. As the federal government's only single-mission agency dedicated to narcotics control, the DEA has taken the lead in breaking the international cartels that bring cocaine, heroin, ecstasy, methamphetamine precursors and marijuana into the U.S. In partnership with other federal, state and local law enforcement agencies, the DEA has organized task forces that investigate, penetrate and bust the street gangs and other distribution networks selling drugs on the streets. Through entities like the El Paso Intelligence Center (EPIC), DEA also gathers, analyzes and shares drug trafficking intelligence with its law enforcement partners. The numbers speak volumes about DEA's success: between 1986 and 2002 alone, DEA agents seized over 10,000 kilograms of heroin, 900,000 kilograms of cocaine, 4,600,000 kilograms of marijuana, 113,000,000 dosage units of hallucinogens, and 1,500,000,000 dosage units of methamphetamine, and made over 443,000 arrests of drug traffickers.

But these numbers, impressive as they are, cannot fully convey what the DEA has done for our nation. We are also here to remember the personal sacrifices of the thousands of men and women who have served America as DEA agents and members of DEA-led task forces. I'd like to talk about just a few of those men and women who made the ultimate sacrifice in the fight against illegal drug abuse.

Emir Benitez was one of the first Special Agents to serve at the DEA. As a Customs officer, he was so successful at finding marijuana that he received three awards for superior performance. On August 9, 1973, he was fatally shot during an undercover investigation of cocaine dealers in Ft. Lauderdale, Florida. He was only 28 when he died, survived by his wife and his daughter.

Detective Marcellus Ward of the Baltimore, Maryland, Police Department, was assigned to the Drug Enforcement Administration's Baltimore District Office Task Force. A husband and father of two, Detective Ward was a thirteen-year police department veteran, who earned numerous medals and commendations for his work. On December 3, 1984, at the age of 36, he was shot and killed while working on an undercover assignment.

Special Agent Enrigue S. Camarena joined DEA in June 1974. During his 11 years with DEA, this former Marine, husband and father of three children received two Sustained Superior Performance Awards, a Special Achievement Award and posthumously, the Administrator's Award of Honor, the highest award granted by DEA. On February 7, 1985, Camarena was kidnapped, tortured and eventually killed by Mexican drug traffickers while he was assigned to the DEA's Guadalajara, Mexico office. He was 37 years old.

Police Investigator Wallie Howard Jr., of the Syracuse, New York Police Department, was a nine-year veteran and the recipient of three bureau commendations for his work on several undercover drug investigations. A husband and father of two, Officer Howard was killed on October 30, 1990, while serving on the DEA's Central New York Drug Enforcement Task Force. Officer Howard was shot during an undercover operation when drug traffickers from Brooklyn, New York, attempted to rob him. He was 31 years old.

Special Agent Meredith Thompson joined DEA in 1985. She was characterized as a tireless worker—innovative, motivated and orga-

nized. Throughout her career, she received numerous letters of appreciation and commendation from both within and outside DEA. At the age of 33, she was one of five Special Agents killed on August 27, 1994, in a plane crash during a reconnaissance mission near Santa Lucia, Peru. This mission was being flown as part of Operation Snowcap, DEA's cocaine suppression program in Latin America.

Mr. Speaker, these are only five of the names that are listed on the DEA's memorial to its fallen agents and task force officers. They are a permanent reminder of the cost in human life imposed on us by the Drug traffickers and their collaborators. Today, as we thank the DEA and its employees for over 30 years of courage, service, and sacrifice, I hope that we will draw strength from their example and rededicate ourselves to their cause—the fight against drug abuse.

Mr. PAUL. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. SHAW). The gentleman from Texas has 14 minutes remaining.

Mr. PAUL. Mr. Speaker, I yield myself such time as I may consume.

Regarding the loss of lives, whether it is 3,000 that some report, or 20,000, many of those would be preventable if we did not have the drug wars going on. The drug wars go on because people are fighting for turf and then the police have to go in and try to stop them because prices are artificially high. We have created the incentive for drug violence. We take something worthless and make it worth billions of dollars. We set the stage for terrorists.

Right now, because of the policies in Afghanistan, 80 percent of Afghanistan now has been returned to the drug lords. If the drugs were worthless, there would be no incentive to promote them. But they are worth a lot of money, so inadvertently our drug war pushes the prices up, and we create the incentive for the Taliban and others to raise the poppies and send the drugs over here. Then they finance the terrorists. So it is an unintended consequence that does not make any sense. It does not have to happen.

The big challenge is will anybody ever be willing to raise the questions and suggest another way. Could we have made a mistake, such as we did with the prohibition of alcohol? This does not mean that everybody has everything they want. Alcohol is legal, but kids get marijuana and other drugs easier on the street than they get their alcohol, because there is such a tremendous incentive.

During prohibition it was very well known that because alcohol was illegal, the more concentrated it is and the higher price it is because you can move it about and because it is contraband. So there is a tremendous incentive to do that. And then, when it is illegal, it becomes more dangerous. That is exactly what happens on drugs.

One hundred years ago, you could buy cocaine in a drugstore. Most Americans would be tremendously surprised to realize that for most of our history

drugs were not illegal. The first marijuana law was in 1938. And they got around that on the constitutional aspect by just putting a tax on it. So there is a lack of respect for how we solve our problems, a lack of wisdom on what we ought to do, and a lack of concern; and this is my deep concern as a physician, a lack of concern for seeing people dying and suffering.

Just think of the people who claim and are believable that they get some relief from marijuana, the paraplegics and those who have cancer and receiving chemotherapy. And in our arrogance, we, at the national level, write laws that send the DEA in to cancel out the States that have tried to change the law and show a little bit of compassion for people that are dying.

We are constitutionally wrong, we are medically wrong, we are economically wrong, and we are not achieving anything. We have no faith and confidence in our constitutional system. We have no faith and confidence that we change moral and personal habits through persuasion, not through armed might.

This is a choice. Nobody is for the use of drugs that I know of. But there is a big difference if you casually and carelessly resort to saying, oh, it is good that you do not do drugs, to let us create a drug army to prance around the country, and then lo and behold houses are invaded, mistakes are made, innocent people are killed, and it does not add up.

It is still astounding to me to find out that the DEA was not even created by congressional legislation. It was created by an executive order. We have gone a long way, colleagues, from where the respect for the Constitution existed and that at least the Congress should legislate. Even in the 1920s, when we attacked alcohol, we had enough respect for the Constitution to amend the Constitution.

□ 1130

Mr. Speaker, I think we are deceiving ourselves if we think the war on drugs is being won, and the failure to look at the unintended consequences, the real cost. As a matter of fact, this resolution brings up the real cost, this long list, this long tragic list of individuals who have been killed over this war.

So I am asking once again not so much to be in opposition to this resolution, but this resolution is to praise 30 years of the DEA and to praise an agency that really has no authority because it comes only from the executive branch, but for us to someday seriously think about the problems that have come from the war on drugs.

Let me tell Members, there is a politically popular position in this country that many are not aware of: The tragedy of so many families seeing their loved ones die and suffer without adequate care, 90-year-old people dying of cancer and nurses and doctors intimidated and saying we cannot make them a drug addict. This drug war culture that we live with has done a lot of

harm in the practice of medicine. Attacking the physicians who prescribe pain medicine and taking their licenses from them is reprehensible. I ask Members to please reconsider, not so much what we do today, but in the future, maybe we will wake up and decide there is a better way to teach good habits to American citizens.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 4½ minutes to the gentleman from New Jersey (Mr. PASCRELL), a former mayor of Paterson, New Jersey, who worked very closely with the DEA.

Mr. PASCRELL. Mr. Speaker, I thank the gentleman from Virginia (Mr. SCOTT) for yielding me this time, and I want to also congratulate the gentleman from Indiana (Mr. SOUDER) and the gentleman from Wisconsin (Mr. SENSENBRENNER). I think this is an important resolution, and let us get back to the focus of what the resolution says. The Drug Enforcement Agency offers countless examples of heroic action and achievement. I am honored to offer my whole-hearted support and thanks to the men and women of this extraordinarily important Federal agency.

Our Nation is constantly under threat from the scourge of illegal drugs, and with every strata of our social structure victimized in some way by the hazards of narcotics, the work formed by the DEA is absolutely vital. It is many times a thankless, grueling work performed by public servants who oftentimes put themselves in harm's way for the public's good. Throughout its history the Drug Enforcement Agency employees have given their lives in defense of their Nation. Many other employees have been wounded or injured in the line of duty.

My mind flashes back to the late 1980s when an agent from North Jersey, Everett Hatcher, was assassinated in Staten Island in a horrendous, heinous crime defending his country addressing the terror. Talk about terror, let us talk about the terror of drugs. Every American owes these men and women a debt of extreme thanks, especially in light of the success DEA has accomplished.

Between 1986 and 2002 alone, DEA agents seized over 10,000 kilograms of heroin, 900 kilograms of cocaine, 4.6 million kilograms of marijuana, 113 million dosage units of hallucinogens, and 1.5 billion dosage units of methamphetamines, and made over 443,000 arrests of drug traffickers. Of course, where there is no market, there is no sale, I say to the gentleman from Texas. We know that. The war on drugs starts in our homes. The war on drugs starts in our own medicine cabinets and our own liquor cabinets. There is no denying that. It does not start in the offices of my Federal agency.

Law enforcement is only part of the answer. There is not a person in this Chamber who does not agree with that, but that is a given. Solutions are worthy for study of debate, and I salute the gentleman from Texas (Mr. PAUL)

for putting this on the floor. Perhaps this is not the time, but when is the time? I appreciate that.

Foreign policy does impact illicit drug use. We know it is coming out of Afghanistan, a lawless country. When the American people find out what is going on in Afghanistan, they are not going to be very happy, are they? We appreciate that. But this is not the time for the debate so much on policy or whether medical marijuana is something that we can consider as a Nation. This is a time that we focus on an agency who has done what we have asked them to do. They have done what we have asked them to do, and they have put themselves in harm's way.

We have heard the word "terror" used many times. We have heard it used in State of the Union addresses by many Presidents, but there is no greater terror than the terror of illicit drug use and sales in this country or any other country. It saps our energy and it saps our will, but it must begin in our homes. I salute the DEA. I wish I could say, Mr. Speaker, the same for many of our homes.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a member of the Committee on the Judiciary.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Virginia (Mr. SCOTT), the gentleman from Wisconsin (Chairman SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS), the ranking member.

Mr. Speaker, I rise enthusiastically to support and to honor the 30 years of service of the Drug Enforcement Agency, and particularly emphasize those who have worked with me and worked in the south Texas region. I applaud the achievements of 8,800 employees who work in 173 domestic offices and 78 foreign offices worldwide.

I join my colleagues and the gentleman from New Jersey (Mr. PASCRELL) to acknowledge the hard work and the depth of commitment of these men and women. And frankly, as an aside, I might say maybe if we had a few good DEA officers advising us in Haiti, we would not be negotiating with thugs, drug dealers and others who certainly do not have the good intentions of the Haitians in mind.

I particularly want to add my applause to the DEA agents who work in my community who have been monitoring the High Intensity Drug Trafficking Area. Designated in 1990, they have been working throughout Harris, Jefferson, Jim Wells, Kennedy and Liberty Counties, who have been working with the Governor's Office of Public Safety and Drug Policy and working on programs in schools. They have worked with Houston Crackdown, and we have seen a difference in the number of drug users in our area. They have helped Houston Crackdown run a 24-hour bi-

lingual drug information hotline. They have worked with the anti-gang office of the Houston Police Department Gang Task Force established in 1994. They have worked with the After School Achievement Program and Operation Renaissance, a collaborative effort by the police department, other city departments and the DEA in working in the inner city.

We have been gratified by the fact in late 2000 the Houston field division reported two seizures of suspected SA heroin. Nearly 2 kilograms were sized at a bus terminal in Houston from a Colombian female. In the other instance, four Venezuelans, in possession of 1.4 kilograms of heroin, were arrested at a local hotel. We have done well with the DEA in south Texas. We know the trials and tribulations that we are engaged in.

The good news of the DEA is they have put life into the phrase "Just say no." They put their lives on the front line. They are committed to making sure our children do not fall victim to the tribulations of drug, and in particular methamphetamines that are plaguing the rural South. That has been another area where we have seen the DEA working so diligently.

Mr. Speaker, I have more than one reason to come to the floor of the House to thank the DEA and all of its fine personnel across the Nation, its 173 divisions, but I am particularly proud to thank the Houston division for the grand work they have done, arming themselves with their commitment and their vision to protect the Nation's children and to make this Nation drug free.

Mr. Speaker, I rise in strong support of H. Res. 412, honoring the Men and Women of the Drug Enforcement Administration on the Occasion of Its 30th Anniversary. I also supported this bill when it was marked up before the full Judiciary Committee last month.

This resolution commemorates the 30th anniversary of the Federal Drug Enforcement Agency (DEA) and recognizes the contributions and achievements of its 8,800 employees who now work in 173 domestic offices and 78 foreign offices worldwide, and recognizes the sacrifices of those employees who have given their lives in the line of duty and those who have been wounded or injured in the line of duty.

In Houston, particularly, I would like to applaud the DEA on the stellar performance of its initiatives:

Monitoring of the High Intensity Drug Trafficking Area (HIDTA)—Designated in 1990, the Houston HIDTA encompasses the city of Houston and the surrounding areas of Aransas, Brooks, Galveston, Hardin, Harris, Jefferson, Jim Wells, Kennedy, Kleberg, Liberty, Nueces, Orange, Refugio, San Patricio and Victoria counties.

Governor's Office of Public Safety and Drug Policy—This office develops public policy and works to implement prevention, intervention, and suppression strategies to stop gang violence and assist crime victims. The office also coordinates and supports volunteer projects dealing with alcohol and drug abuse.

Examples of programs in Houston include:

Houston Crackdown, which coordinates and supports volunteer projects in the areas of drug prevention, treatment, and law enforcement. Houston Crackdown also runs a 24-hour bilingual Drug Information Hotline that provides access to treatment and recovery resources, drug information for youth and parents, a means to report illegal drug activity, and ideas for getting involved in community efforts.

The Anti Gang Office and the Houston Police Department Gang Task Force, both established in 1994. They provide a balanced approach, combining prevention and suppression tactics focused toward reduction of street gang growth and development.

The After School Achievement Program (ASAP), a community-based program offering youths constructive and positive activities between 3 p.m. and 6 p.m.

Operation Renaissance, a collaborative effort by the police department, other city departments, government agencies, and various community groups to revive the city's inner-city neighborhoods. Operation Renaissance employs a holistic approach and embraces the philosophy of Neighborhood Oriented Government and the Super Neighborhood concept. It is comprised of five pillars: narcotics interdiction, directed patrol, nuisance abatement, trash removal, and graffiti abatement. The community assists the police by reporting known drug dealers and locations while the police utilize a two-phase approach in targeting identified individuals and locations. Phase One calls for a highly visible police presence in areas of known "open-air" markets and Phase Two targets indoor locations.

Although the fruits of this office's impressive performance record are many, I highlight the fact that in late 2000, the DEA Houston Field Division reported two seizures of suspected SA heroin. Nearly 2 kilograms were seized at a bus terminal in Houston from a Colombian female who was traveling from San Antonio to New York City. In the other instance, four Venezuelans, in possession of 1.4 kilograms of heroin, were arrested at a local hotel.

On a per capita basis, the Texas South (Houston) district is one of the four districts with the largest number of DEA referrals in past fiscal years along with New Mexico (Albuquerque), Texas West (San Antonio), and New York South (Manhattan). In terms of the effectiveness and fairness of the government's overall enforcement effort against drugs, the work of the prosecutors and the courts often is as important as that of the investigators. One measure of this joint responsibility is the length of time required from when the DEA refers a matter for prosecution to when the matter is disposed of. Nationally, the median processing time was 272 days. Texas South (Houston) yielded 134 days which was significantly lower than the national median.

Mr. Speaker, therefore, I strongly support this bill. In the very near future this body should deal with this misdirected policy of mandatory sentencing so that the work of the DEA can be directed to the violent drug trafficking that hurts Americans most.

Mr. PAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just close with a comment about the prison system and what has happened. As I mentioned before, 84 percent of Federal prisoners are

nonviolent drug offenders. Many go into prison, and they come out hardened criminals, and the problem is made much worse. Because of overcrowding, we have the release of violent prisoners because the prisons are too full. Also, the rules on mandatory sentencing of non-violent offenders have not been a good idea and have contributed to the problems that we face.

Another thing which I have not mentioned before but is worth thinking about is the inequity in the enforcement of laws. If one happens to be a wealthy, white-collar worker caught using cocaine, the odds of that individual serving time in prison is very reduced, compared to if you are caught in the inner city. It seems there is less justice for the inner city youth. This, of course, intensifies the problems of the inner city.

Once again, all I ask is that in the future we look at our drug policy because current policy is working so poorly, and also to reconsider the fact that we have gone 30 years with a program where there is no evidence of success, and astoundingly it was all done under an executive order.

Mr. Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, while I respect the arguments of the gentleman from Texas (Mr. PAUL), even though I do not agree with them, I think it is important to look at what the resolved clause of this resolution says in deciding whether or not to support or oppose the resolution.

I will read it. "Resolved, That the House of Representatives: (1) congratulates the DEA on the occasion of its 30th Anniversary;

"(2) honors the heroic sacrifice of those of its employees who have given their lives or have been wounded or injured in the service of our Nation; and

"(3) thanks all the men and women of the DEA for their past and continued efforts to defend the American people from the scourge of illegal drugs."

This resolution has nothing to do with drug policy. It has nothing to do with whether the war on drugs has been successful or not. It has nothing to do with whether or not drugs should be legalized. What it does do is to tell the people who have worked for the DEA for the last 30 years that their service has not been in vain executing a policy in criminalizing certain drug activities and use of certain drugs that this Congress has passed.

It also commemorates the people who have given their lives or been wounded in the service of their country. The DEA is a law enforcement agency. We make the laws, they enforce the laws. This resolution gives them thanks for enforcing the laws and commemorating those who have made the ultimate sacrifice. I support the resolution, and I urge Members to support the resolution.

Mr. CASE. Mr. Speaker, I rise today in strong support of H. Res. 412, which honors the men and women of the Drug Enforcement Administration (DEA) on the occasion of its 30th Anniversary and recognizes the sacrifices of those who have given their lives in the line of duty.

In Hawaii, we are fortunate that such a cohesive law enforcement community exists, with the strong working relationship between the DEA, the United States Attorney's Office, the Federal Bureau of Investigation, our four county police departments, and the 14 Federal, State, and local agencies which support the Hawaii High Intensity Drug Trafficking Area. All work together to pursue and dismantle domestic and international criminal organizations that produce, transport, and distribute illegal substances.

Under the leadership of Briane M. Grey, Assistant Special Agent-in-Charge of the Honolulu District Office, the office advocates the same multi-pronged approach that I firmly believe is the solution to our drug abuse problem: combining strong enforcement, with education, prevention, and treatment efforts. For example, through its partnerships with the Counties of Kauai and Hawaii, the DEA's Demand Reduction Program educates many of our young people on the dangers of drugs.

In my home State, the unfortunate drug of choice today is crystal methamphetamine, also known as ice. High purity ice, ranging from 96 percent to 99 percent, is all too readily available, and commonly abused throughout our State. In Hawaii, ice users have been linked to violent crimes including child abuse, hostage situations, and homicides. The DEA has been a strong and valuable force in our fight against the scourge of ice.

In August 2003, the Honolulu DEA's Operation Jetway Task Force was notified of three parcels suspected of carrying ice. Pursuant to a search warrant, approximately 15.9 pounds of ice, worth more than \$1 million were seized from two of the parcels, and approximately \$65,000 in cash was seized from the third parcel. Later that same month, the task force seized approximately 674 grams of ice from the inside jacket pocket of an individual traveling from Los Angeles to Honolulu.

I would like to extend a very special mahalo (thank you) to the 15 Special Agents, 17 Task Force Officers, 2 Intelligence Analysts, 2 Diversion Investigators, and 2 Administrative Staff in our DEA Honolulu District Office. The district extends DEA's presence with personnel assigned to offices on the islands of Maui and the Big Island of Hawaii, as well as offices in Guam and Saipan. I know that the Honolulu District Office will continue to initiate drug investigations targeting the highest level traffickers, and for that we are all very grateful.

Again, congratulations to the DEA on its 30th anniversary.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SHAW). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and agree to the resolution, H. Res. 412.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1145

# SUPPORTING GOALS OF CERTAIN COMMUNITIES IN RECOGNIZING NATIONAL DAY OF REMEMBRANCE

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 56) supporting the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of the events surrounding the restriction, exclusion, and internment of individuals and families during World War II.

The Clerk read as follows:

H. RES. 56

Whereas President Franklin Delano Roosevelt signed Executive Order 9066 on February 19, 1942, which authorized the exclusion of 120,000 Japanese Americans and legal resident aliens from the west coast of the United States and the internment of United States citizens and legal permanent residents of Japanese ancestry in internment camps during World War II;

Whereas the freedom of Italian Americans and German Americans was also restricted during World War II by measures that branded them enemy aliens and included required identification cards, travel restrictions, seizure of personal property, and internment;

Whereas President Gerald Ford formally rescinded Executive Order 9066 on February 19, 1976, in his speech, "An American Promise";

Whereas Congress adopted legislation which was signed by President Jimmy Carter on July 31, 1980, establishing the Commission on Wartime Relocation and Internment of Civilians to investigate the claim that the incarceration of Japanese Americans and legal resident aliens during World War II was justified by military necessity;

Whereas the Commission held 20 days of hearings and heard from over 750 witnesses on this matter and published its findings in a report entitled "Personal Justice Denied";

Whereas the conclusion of the Commission was that the promulgation of Executive Order 9066 was not justified by military necessity, and that the decision to issue the order was shaped by "race prejudice, war hysteria, and a failure of political leadership";

Whereas Congress enacted the Civil Liberties Act of 1988, in which it apologized on behalf of the Nation for "fundamental violations of the basic civil liberties and constitutional rights of these individuals of Japanese ancestry";

Whereas President Ronald Reagan signed the Civil Liberties Act of 1988 into law on August 10, 1988, proclaiming that day to be a "great day for America";

Whereas the Civil Liberties Act of 1988 established the Civil Liberties Public Education Fund, the purpose of which is "to sponsor research and public educational activities and to publish and distribute the hearings, findings, and recommendations of the Commission on Wartime Relocation and

Internment of Civilians so that the events surrounding the exclusion, forced removal, and internment of civilians and permanent resident aliens of Japanese ancestry will be remembered, and so that the causes and circumstances of this and similar events may be illuminated and understood";

Whereas Congress adopted the Wartime Violation of Italian Americans Civil Liberties Act, which was signed by President Bill Clinton on November 7, 2000, which included provisions which resulted in a report containing detailed information on the types of violations that occurred, as well as lists of individuals of Italian ancestry that were arrested, detained, and interned;

Whereas the Japanese American community recognizes a National Day of Remembrance on February 19th of each year to educate the public about the lessons learned from the internment to ensure that it never happens again; and

Whereas the Day of Remembrance provides an opportunity for all people to reflect on the importance of justice and civil liberties during times of uncertainty and emergency: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes the historical significance of February 19, 1942, the date Executive Order 9066 was signed by President Roosevelt, restricting the freedom of Japanese Americans, German Americans, and Italian Americans, and legal resident aliens through required identification cards, travel restrictions, seizure of personal property, and internment; and

(2) supports the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of these events.

The SPEAKER pro tempore (Mr. SHAW). Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Resolution 56 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in favor of House Resolution 56. On February 19, 1942, President Roosevelt signed Executive Order 9066. Shortly afterwards, citizens of Japanese ancestry residing in the United States were prohibited from living, working or traveling on the West Coast of the United States. Executive Order 9066 ultimately led to the detention of 120,000 Japanese Americans and residents, most of whom did not see freedom until the closing days of World War II. Executive Order 9066 also resulted in restrictions upon the civil liberties of Italian and German Americans residing in the United

States, including government-imposed curfews, detentions, prohibitions on items considered to be contraband by military authorities, and seizures of personal property.

President Ford formally rescinded Executive Order 9066 in 1976. In his proclamation repealing this executive order, President Ford said:

"I call upon the American people to affirm with me this American promise, that we have learned from the tragedy of that long-ago experience forever to treasure liberty and justice for each individual American, and resolve that this kind of action shall never again be repeated."

Twelve years later, President Reagan signed the Civil Liberties Act of 1988 to formally acknowledge and apologize for "fundamental violations of the basic civil liberties and constitutional rights of individuals of Japanese ancestry." When signing the legislation, President Reagan said:

"Here we admit a wrong. Here we affirm our commitment as a Nation to equal justice under the law."

In the year 2000, President Clinton signed the Wartime Violation of Italian Americans Civil Liberties Act, which formally acknowledged civil liberties violations against Italian Americans committed during World War II. In November of 2001, the Committee on the Judiciary received a comprehensive report prepared by the Department of Justice detailing civil liberties violations committed against persons of Italian American ancestry during this period.

The Japanese American community presently recognizes a National Day of Remembrance on February 19 of each year to educate the public about the internment. House Resolution 56 reaffirms the importance of this day. The resolution also supports the goals of the Japanese American, German American and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of the events surrounding this difficult period of our Nation's history.

I urge my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I rise in support of this resolution. The World War II internment of American citizens of Japanese, German and Italian ancestry for no reason other than their heritage is a disgraceful blot on the history of this Nation and on our commitment to freedom and equality. Sometimes, in times of panic and insecurity, we have forgotten what is best and most admired about our Nation and we have done things which in retrospect and with cooler heads we have come to realize were both unnecessary and unjust. This unfortunate history includes the Alien and Sedition Acts of 1798, the suspension of the writ of habeas corpus during