activities at the Institute into the areas of basic research, epidemiology, treatment, diagnosis, and public and health care provider education. H.R. 762 also authorizes project grants to improve health delivery services through local governments and to community hospitals.

Mr. Speaker, H.R. 762 would provide the needed support to NIH in their works towards making medical breakthroughs in the fight against lupus. I urge all of my colleagues to join me in voting in support of the lupus research and care amendments.

Mr. DINGELL. Mr. Speaker, I strongly support H.R. 762, the Lupus Research and Care Amendments. I want to commend my good friend and colleague, Representative CARRIE MEEK for her steadfast advocacy for this excellent legislation. Lupus is a debilitating and sometimes fatal auto-immune disease that disproportionately afflicts women, particularly women of color. Today's vote brings help and hope to approximately 1.5 million Americans with lupus, and their families.

H.R. 762 accomplishes two goals. Title I recognizes the National Institute of Health's (NIH) present research activities on the many facets of this disease through the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Autoimmune Diseases Coordinating Committee. It authorizes appropriations to expand and intensify these activities with emphasis on earlier diagnosis, better treatment, and an eventual cure. Epidemiologic studies and education about lupus for the public and health professionals will also be undertaken with funds made available by this bill.

Title II addresses on-going primary care and treatment needs of poor and uninsured individuals with this expensive-to-treat and debilitating disease. It authorizes the Secretary to award care grants to local governments, community hospitals, health centers, and other nonprofit health facilities for the provision of out-patient care and a breadth of support services to affect individuals and the family members who are involved in their care. The holistic treatment and support services provided by H.R. 762 will diminish the sense of isolation that is concomitant to chronic illness by weaving a safety-net of services.

This an excellent bill and I urge my colleagues to join me in supporting its passage today.

Mrs. MORELLA. Mr. Speaker, I am delighted to join my good friend and colleague, Congresswoman CARRIE MEEK, as we move forward and pass H.R. 762, the Lupus Research and Care Amendments.

This bill would amend the Public Health Service Act and require the Director of the National Institute of Arthritis and Musculoskeletal and Skin Diseases to expand and intensify its research activities on the disease lupus, especially with regard to its increasing prevalence among African-American and other women.

This bill will expand lupus-related activities at the Institute into areas of basic research, treatment, diagnosis, and public and health care provider education.

Mr. Speaker, lupus is an autoimmune disease, passage of this H.R. 762, will leverage H.R. 4365, ''The Children Health Act of 2000'' which was recently passed by this House.

Title XIX of this bill, ''NIH Initiative on Autoimmune Diseases'', requires the Director of NIH to expand, intensify, and coordinate the activities of NIH with respect to autoimmune diseases. This includes forming an Autoimmune Diseases Coordinating Committee and Advisory Council that will develop a plan for NIH activities related to autoimmune diseases and to require different institutes within NIH to provide a detailed report to Congress specifying how funds were spent on autoimmune diseases.

Recently, the American Journal of Public Health published a study demonstrating that autoimmune disorders are among the top 10 leading causes of death among women under 65, indeed today, three-quarters of the 13.5 million Americans afflicted with an autoimmune disease are women.

I urge my colleagues to support H.R. 762, to support the health of our nation's citizens.

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

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 762, as amended.

The question was taken.

Mr. BILIRAKIS. 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.

DRUG DEALER LIABILITY ACT OF 1999

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1042) to amend the Controlled Substances Act to provide civil liability for illegal manufacturers and distributors of controlled substances for the harm caused by the use of those controlled substances.

The Clerk read as follows:

H.R. 1042

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Drug Dealer Liability Act of 1999''.

SEC. 2. FEDERAL CAUSE OF ACTION FOR DRUG DEALER LIABILITY.

(a) IN GENERAL.—Part E of the Controlled Substances Act is amended by adding at the end the following:

''SEC. 521. FEDERAL CAUSE OF ACTION FOR DRUG DEALER LIABILITY.

''(a) IN GENERAL.—Except as provided in subsection (b), any person who manufactures or distributes a controlled substance in a felony violation of this title or title III shall be liable in a civil action to any party harmed, directly or indirectly, by the use of that controlled substance.

''(b) EXCEPTION.—An individual user of a controlled substance may not bring or maintain an action under this section unless the individual personally discloses to narcotics enforcement authorities all of the information known to the individual regarding all that individual's sources of illegal controlled substances.''.

(b) CLERICAL AMENDMENT.—The table of sections for the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by inserting after the time relating to section 520 the following new item:

''Sec. 521. Federal cause of action for drug dealer liability.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS).

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 1042.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 1042, the Drug Dealer Liability Act.

I am pleased to act on this legislation because it will give law enforcement authorities and the American public another tool in our efforts to reduce the use of illegal drugs.

We have all known for some time, Mr. Speaker, that the costs of drug abuse in the United States are certainly quite high. In addition to the terrible impact drugs have on users, experts estimate that our country loses close to $100 billion a year to drug-related illnesses, lost productivity and crime. In many cases, these costs are being absorbed by American families and those who are victimized by the drug trade. The bill of the gentleman from Iowa (Mr. LATHAM) would help change that.

Under H.R. 1042, drug dealers would begin paying from their own pocketbooks for the damage that they level on our society. This legislation would allow victims of the drug trade to recover civil money damages from individuals who have sold or manufactured illegal drugs.

Parents, drug-addicted babies, and employers will now have an expanded ability to punish drug dealers and put these criminals out of business.

This type of law is already on the book in 12 States and would be extended to the other 38 under this bill.

So, Mr. Speaker, I commend the distinguished gentleman from Iowa (Mr. LATHAM) for authoring this legislation. By passing this bill, we are sending a message to America's drug dealers: Dealing drugs does not pay. If they are an aspiring drug dealer and believe that they can make a lot of money off of selling drugs, think again. Under this proposal, they will be at great risk of going bankrupt.

I urge support of this legislation.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I am pleased to support the Drug Dealer Liability Act; and I commend its author, my colleague, the gentleman from Iowa (Mr. LATHAM).

H.R. 1042 would subject individuals who participate in illegal drug activity

to civil liability. The civil justice system is an important deterrent to unlawful activity and an effective avenue for compensating individuals and organizations harmed by illegal activity.

No illegal activity inflicts more harm than the illegal drug trade. Illegal drugs fuel crime, siphon public and private dollars into prevention and treatment programs. They undercut productive lives. They undermine entire communities. They kill our children.

1545

The criminal justice system is giving the drug problem its primary attention. Its counterpart, the civil justice system, should be brought into the fight.

Individuals who engage in the drug trade should know that they will be held financially liable for the harm they cause. Manufacturers and distributors of these drugs should bear the costs associated with their illegal activity, including the costs of medical treatment or drug rehabilitation. Taxpayers currently bear most of that burden. That is not the way it should be.

This legislation gives us another weapon in the war against drugs. I am pleased to support it.

Mr. LATHAM. Mr. Speaker, I rise today as the sponsor of H.R. 1042, the Drug Dealer Liability Act, to urge your strong support for this important legislation. This is not the first time we have addressed this issue. You may recall the House voted overwhelmingly to add the very provisions included in this legislation to the Juvenile Justice Bill in 1999.

Unfortunately, juvenile crime is a growing trend across the nation. For years, the rural states thought themselves immune from the serious juvenile crime and drug problems on America's coasts and in the big cities. However, this is no longer the case.

In fact, nowhere is the juvenile crime problem growing faster than in America's heartland. This is, of course, directly related to the incredible growth in drug use. According to the U.S. Department of Justice's latest statistics, juvenile drug arrests across the nation have more than doubled since 1988. My home state of Iowa is experiencing an unprecedented influx of methamphetamine. In calendar year 1999, there were over 300 federal methamphetamine lab seizures in the State of Iowa. State law enforcement personnel seized an additional 500 labs during that same time.

Clearly, our children are the most innocent and vulnerable of those affected by illegal drug use. The very nature of drug abuse makes this an epidemic that has severe monetary costs as well, creating significant financial challenges for parents, law enforcement and human services providers. For many of the juvenile addicts, who are increasingly female, the only hope is extensive medical and psychological treatment, physical therapy, or special education.

All of these potential remedies are expensive. In fact, recent figures estimate the annual cost of substance in the United States to be nearly $100 billion. Juveniles, through their parents or through court appointed guardians, should be able to recover damages from those in the community who have entered and participated in the sale of the types of illegal drugs that have caused their injuries.

The legislation I am offering today would provide a civil remedy for people harmed by drugs—whether it be the actual user, the family of a user or even the hospital that provides treatment—to hold drug dealers accountable for selling this poison that is tearing apart the fabric of our society. There are drug pushers in all of our congressional districts who profit from this culture of death, pain and dependency that must be taken to task. Many of them elude the authorities by getting off on technicalities or through their position as affluent persons in the community. However, that should not make them immune from paying for the destruction they cause.

This legislation would empower victims to take action like the Utah housewife who sued her husband's drug dealer "friend" of six years under that State's drug dealer liability law. Her husband actually shared a vacation cabin with the dealer until, after years of abuse, her husband lost his job and ruined the family. Other states, such as California, Arkansas, Illinois, Michigan, Georgia, Louisiana, Indiana, Hawaii, South Dakota and Oklahoma, and just October 1, Maryland have enacted similar laws.

The first lawsuit brought under a state drug dealer liability law was brought by Wayne County Neighborhood Legal Services on behalf of a drug-addicted baby and its siblings. The suit resulted in a judgment of $1 million in favor of the baby. The City of Detroit joined in on the suit and received a judgment for more than $7 million to provide drug treatment for inmates in the city's jails.

This legislation, while not as comprehensive as those state laws—which incorporate a broad reaching liability—does provide a simple tool to empower victims. In fact, this legislation is perfectly suited to go after the "white collar" drug dealers who's clientele includes their professional "friends", and who are less likely to be the subject of a criminal investigation. As we all know, parents who abuse drugs are more likely to have children that abuse drugs as well.

It is my hope the prospect of substantial monetary loss made possible my legislation would also act as a deterrent to entering the narcotics market. Dealers pushing their poison on our children and other family members may think again when they consider that they could lose everything even without a criminal conviction. In addition, this legislation would establish an incentive for users to identify and seek payment for their own drug treatment from those dealers who have sold drugs to the user in the past. While this legislation is not meant to be a "silver bullet", it is another tool to combat and deter drug abuse and trafficking.

Current law allows for a producer of a product that injures a consumer to be held liable for injuries resulting from the use of that product. However, most states do not provide for compensation from persons who cause injury by intentionally distributing illegal drugs. The Latham Drug Dealer Liability Act fills the gap to make drug dealers liable—under civil law—for the injuries to the victims of drugs.

Finally, I hope that I will be able to work with Chairman MCCOLLUM and the ranking Member, Mr. CONYERS, on a more comprehensive liability measure in the future.

With that, Mr. Speaker, I urge my colleagues to support H.R. 1042, the Drug Dealer Liability Act, and give the victims of illegal drugs an opportunity to hold the dealers of this poison accountable under criminal and civil law.

THE LATHAM DRUG DEALER LIABILITY ACT

According to a joint study by the Center for Substance Abuse Treatment and the University of Maryland, drug abuse cost the United States $98 billion in 1992. The majority of the costs were due to drug-related illnesses, lost productivity, crime and premature death. It's time drug dealers started paying for these costs.

The Latham amendment would be most effective in instances where a dealer has gotten off in criminal court on a technicality. A plaintiff would only need to provide that there is a preponderance of evidence that a defendant was the dealer in a civil case, unlike the much stricter standard in criminal court. The success of this strategy is well demonstrated by the civil case brought against O.J. Simpson by the family of victim Ron Goldman.

The amendment could also prove effective against professionals dealing to their "friends" who they share a professional relationship with, such as lawyers, stockbrokers, and other high-income users. People who think our nation's drug problem exists only in the cities and among the poor are way off the mark. The problem is everywhere, as much in small towns in Iowa as it is in America's big cities.

The Latham amendment would even be useful in cases where the dealer has already been convicted. According to a U.S. Supreme Court ruling in June of 1999 (U.S. v. Bajakajian), certain seizures by the government may be ruled unconstitutionally disproportional under the Eight Amendment's excessive fines clause. This could mean that a convicted drug dealer or manufacturer may maintain a portion of their assets and/or property after a government seizure or forfeiture. As an excessive fine is defined in U.S. v. Bakajian, the case sets a Constitutional precedent in this area for the first time. It certainly opens up the excessive fines clause of the Eighth Amendment up for what could be construed as a stricter application.

Basically, the legislation provides a civil vehicle for punishment of drug dealers and for recovery of damages for those injured (directly or indirectly) as a result of an individual's use of a controlled substance.

The parameters of the legislation are intentionally broad to allow as many injured individuals to benefit while creating an increased window of liability for the drug dealer. Therefore, not only would the individual who used the drugs be able to bring about a suit, but so would their parents, employer (for losses resulting from the employee's drug use), health care providers, and even governmental entities. In fact, a suit could be filed on behalf of a drug baby (in utero liability) or by that child once they reach the age of 18.

STATES WHO HAVE PASSED SIMILAR LAWS

Hawaii, Indiana, Michigan, Utah, Illinois, California, Arkansas, Oklahoma, Georgia, Louisiana, Kansas, South Dakota, and Maryland.

EXAMPLES OF SETTLEMENTS IN STATE CASES

First lawsuit under the act (July 21, 1995) resulted in a judgment of $1 million in favor of a drug baby, as well as more than $7 million to the City of Detroit for drug treatment expenses for inmates in the city's jails. The suit was filed by attorneys from Wayne County Neighborhood Legal Services on behalf of the drug baby and its siblings.

A case was settled in Utah in which the wife of a drug abuser brought a case against

her husband's dealer of six years under the Utah DDLA law.

MAKING IT A FEDERAL CASE

This legislation, intended to extend the drug dealer liability to the Federal level, would establish a vehicle for persons in the 38 states that have not enacted a similar law (and to those in the twelve states listed above if the Federal law is preferable). However, the amendment would only allow an individual who used drugs to recover damages if they worked with authorities to provide information on all of that individual's narcotics sources.

The Latham amendment is different from the Drug Dealer Liability Act laws in these states in that it only extends liability to persons who are found to have knowingly provided or manufactured the drugs that harmed the individual or party filing the suit. The state laws are based on a broad market liability standard that holds dealers liable based on the premise that a dealer is involved in the illegal drug trade in a particular area and so is directly or indirectly involved in the promotion of the illegal drugs that harmed the plaintiff.

The Latham amendment fills a void in two ways: (1) it provides compensation for the victims of crime, and (2) it holds the drug dealers accountable that escape criminal punishment—whether it be as a result of getting off on a technicality or because a person may deal to a ''behind the scenes'' white collar crowd as opposed to the more conspicuous street gangs. Those ''high dollar'' dealers are less likely to be apprehended by law enforcement—why should they get off scot-free? Like the wife in Utah, more family members may be willing to take matters into their own hands and go after those who deal this poison to our children and other loved ones.

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

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

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 1042.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SUPPORTING INTERNET SAFETY AWARENESS

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 575) supporting Internet safety awareness, as amended.

The Clerk read as follows:

H. RES. 575

Whereas the Internet provides citizens of the United States with the technology for research, education, entertainment, and communication;

Whereas millions of Americans, many school libraries and classrooms, and many public libraries are connected to the Internet;

Whereas more than 1 out of 5 missing 15- to 17-year-old teenagers have disappeared because of someone they met while chatting on the Internet;

Whereas there are an estimated 10,000 Internet websites designed for or by individuals who have a sexual preference for children;

Whereas there are an estimated 200 million pages of pornography, hate, violence, and abuse on the Internet;

Whereas there are multitudes of strangers who use the Internet to enter homes, talk to and ''groom'' children, and will take indecent advantages of those children if given a chance;

Whereas children have been raped, assaulted, kidnapped, and deprived of their innocence by individuals they met on the Internet; and

Whereas September 2000 is Internet Safety Awareness Month: Now, therefore, be it

Resolved, That the House of Representatives—

(1) urges the citizens of the United States to recognize and support educational programs that make surfing on the Internet safe and fun;

(2) supports initiatives to educate parents, children, educators, and community leaders about the enormous possibilities and the potential dangers of the Internet;

(3) urges all Americans to become informed about the Internet and to support proactive efforts that will provide Internet safety for children and for future generations to come; and

(4) expresses the sincere appreciation of the House of Representatives for the thousands of law enforcement officials who are aggressively working to protect America's children while they are online.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS).

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the resolution.

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

There was no objection.

Mr. BILIRAKIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. GOODE).

Mr. GOODE. Mr. Speaker, I rise in support of H. Res. 575, a resolution to promote Internet safety awareness. As more and more Americans are utilizing the Internet and many children in this country have access to the Internet, it is important that we raise awareness to the dangers that the Internet can pose, especially to children.

As this resolution reflects, the National Center for Missing and Exploited Children estimates that one out of five missing 15-, 16- and 17-year-olds in America are due to Internet activity. There are many predators that use the Internet to make contact and gain information on unsuspecting children. Children have been raped, assaulted and kidnapped by individuals they met on the Internet.

In Bedford County, Virginia, a county that I represent along with the gentleman from Virginia (Mr. GOODLATTE), we are proud of the diligent work that Sheriff Mike Brown and his office have done to combat Internet predators. Developing a nationally recognized program called Operation Blue Ridge Thunder, Sheriff Brown and his office have targeted pedophiles that use the Internet to reach children. While law enforcement officials in Bedford County, Virginia and elsewhere have been successful in apprehending on-line predators, there is no substitute for having parents and children that are aware and educated on the dangers that exist on the Internet and how to keep children safe from online predators. With the aid of grants from the U.S. Department of Justice, the Bedford County sheriff's office has also conducted Internet safety programs dubbed Safe Surfin' in the local schools. They hope to make children aware of the dangers and teach them how to surf the Internet safely.

I want to commend many of my colleagues who attended the demonstration here in the Capitol in September of 1999 on Operation Blue Ridge Thunder that was provided by the Bedford County sheriff's office. The demonstration showed the extensive presence of pedophiles and predators online and illustrated the importance and necessity of Internet safety awareness and education.

The Commonwealth of Virginia recognized September as Internet Child Safety Awareness Month and has run public service announcements on television and radio warning parents of the dangers that exist on the Internet. I commend the Commonwealth for its proactive role in promoting Internet safety, and I hope that my colleagues will join me in passing this resolution raising awareness to the dangers of the Internet and supporting efforts to educate parents and children on the safe use of the Internet.

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

Mr. Speaker, I rise to congratulate the authors of this very well thought out House resolution. As we move deeper and deeper into the Internet era, we reach the Dickensian conclusion that it is the best of wires and it is the worst of wires simultaneously, that it has the ability to enable and to ennoble but it also has the ability to degrade and to debase. It is this duality of personality that we are talking about here today.

This resolution is one that basically urges all citizens of the country, parents and educators, librarians, law enforcement officials, everyone in our society to take a more active role in supporting educational programs that help to make Internet surfing safe for young people in our country and to generally support all of the programs in our country that promote Internet safety.

It is a straightforward, common sense resolution. The gentleman from Texas (Mr. GREEN), a good Democratic Member, added language to this bill which also commends the law enforcement community for everything that they are doing to help to promote an environment in which children are not