

circuit, which includes New Jersey, has not issued opinions striking down the Federal death penalty statutes.

I am deeply disturbed, however, that this administration has precluded one death penalty prosecution of the Unabomber, and now we will all have to live with the consequences.

Thank you, Mr. President.

Mr. COVERDELL. Mr. President, the statement by the Senator from Tennessee underscores the majority leader's emphasis on a tough judiciary, and just points, once again, to what we have been hearing from Majority Leader DOLE with regard to how important the judiciary system is and the judges we appoint to maintain civil order in our country.

Mr. President, I now yield up to 10 minutes to the Senator from Washington.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from Washington.

ANTITERRORISM BILL

Mr. GORTON. Mr. President, the day before yesterday, this Senate completed a vitally important task. A part of that task, an antiterrorism bill, was brought into being as a consequence of the tragedy 1 year ago in Oklahoma City. Another part of that accomplishment is the result of the work of many Members on this side of the aisle, some on the other side of the aisle, extending over a period of well over a decade to reform and make more just our criminal justice system.

There are those among our constituents, a number of whom have called my office, who oppose the antiterrorism bill simply because they did not wish any enhancement of the criminal justice powers of Federal agencies.

I believe their apprehension to be misdirected. I am convinced that to face the possibility of terrorism, both foreign and domestic, a possibility which has clearly been a terrible reality both in Oklahoma City and in New York City, that some enhancement of Federal law enforcement was, in fact, necessary, and, as a consequence, I supported the antiterrorism elements in that bill.

At the same time, Mr. President, I am convinced that the reform in what is known technically as habeas corpus will be of a more profound and a more positive nature in connection with our criminal justice system.

It is a simple truism that justice delayed is justice denied, and with respect to myriad State court convictions for serious criminal violations, including the most serious criminal violations resulting in capital punishment sentences, we have a spectacle in the United States of America unseen anywhere else in the world.

Here, of course, with our unique and uniquely valuable system of dual sovereignty, most criminal justice prosecutions take place in our State courts. Many here claim a sophistica-

tion by asserting some kind of second-rate justice at the State court system. Those observations do not accord with my own practice as attorney general of the State of Washington, but, nevertheless, they are reflected in the nature of our habeas corpus proceedings.

A normal prosecution proceeds through a trial before a jury in a State court, a conviction, a sentence, at least one and usually two appeals to an intermediate appellate court and then to a State supreme court in connection with any serious violation. In most other jurisdictions in the world, including other countries as free as the United States, that would be the end of the process. But in the United States, any convicted person can say, "No, I don't accept that proceeding," no matter how great the protections of the rights of the individual accused. "I'm going to start all over again in the Federal court system and assert some violation of my constitutional rights."

We have the paradox California situation—I believe, again, Mr. President, unprecedented in the world—in which a single trial level Federal judge can say that everything that the State trial judge did, everything that the State appellate system, everything that the State supreme court did was wrong and violated the constitutional rights of this individual convicted person. And you have to start all over again or perhaps even dismiss the case entirely.

Even if that single Federal court judge says, no, everything was done in accordance with the Constitution, the accused person can then take that to a circuit court of appeals as a matter of right and try it in the Supreme Court of the United States to succeed in his or her claims.

But, Mr. President, at the present time it does not stop there. You can go all the way up on one claim of a constitutional violation and then say, oh, by the way, I forgot, I have another claim of a different constitutional violation. And we will start all over again in another Federal district court and repeat the process.

Mr. President, when I spoke here during the debate of one of the motions to recommit of the distinguished Senator from Delaware, [Mr. BIDEN], I talked about Charles Campbell.

Charles Campbell, a released rapist, almost immediately after his release from a prison in Washington State went to the home of the person he raped and in cold blood murdered her, her child, and a neighbor who happened to be there at the time. This took place in 1982, Mr. President.

By 1984 Mr. Campbell had been tried, convicted, sentenced to death, and had exhausted his appeals in the Washington court system. But, Mr. President, that was only the beginning. From 1984 to 1994 Charles Campbell cheated justice by endless appeals to the Federal courts of the United States. After literally millions of dollars had been used, his judgment was finally confirmed and he was executed in mid 1994.

Mr. President, that was a misuse of the system. It taught disrespect of the law to the people of the State of Washington who had to follow this through the newspapers and over television for more than 10 years. And, Mr. President, fundamental respect for and obedience to our law requires a public opinion that believes that the legal system does work. This kind of misuse undercuts that trust and confidence. We simply cannot have it, Mr. President.

Finally, as a result of this bill, and the intense decade-long work of the Senator from Utah, Senator HATCH, we do have reforms in this habeas corpus set of procedures. It is not an abolition, not a way to deny true constitutional violations, but a way that requires them to be asserted within a reasonable time and concluded within a reasonable time. And as a consequence, Mr. President, I believe that we have made a huge step forward in a campaign which has lasted for an extended period of time.

Just going back in the RECORD to 1980—I find a bill 2 years after that by Senator East. It did not get out of committee. The next year there was one by Senator THURMOND that actually passed the Senate, but was killed in the House. The next year a similar bill by Senator DOLE, without action. During that same year 1984, a proposition from Congressman Foley from my own State, before he was Speaker, that said we could not do anything in Congress about habeas corpus until there had been a study and recommendations from the U.S. Supreme Court, which study has been completed.

Then again in 1992 another proposal by Senator THURMOND. In the various crime bills in the 4 years leading up to 1994, tiny little proposals, minor changes—major changes constantly defeated on the floor of the Senate or the floor of the House. And finally now in this Congress with appropriate leadership a reform in the system that really works. Mr. President, this is a real triumph.

The PRESIDING OFFICER. All the time under the previous order has expired at this point.

Mr. COVERDELL. Mr. President, I would like to ask unanimous consent that our time be extended by 6 minutes. I have spoken to the Senator from Connecticut.

The PRESIDING OFFICER. Is there objection?

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I ask unanimous consent, upon the conclusion of that time period, that Senator DODD be recognized for the purposes of making some remarks, and following that I be recognized for 20 minutes in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

THE ADMINISTRATION AND DRUG USE BY OUR YOUTH

Mr. COVERDELL. Mr. President, I think what we have seen here this morning is that there are consequences from policies. This administration has presided over significant policy changes and decisions for which there have been extraordinary consequences.

Mr. President, the interdiction effort of drugs on our borders, particularly between the United States and Mexico, have been reduced by 40 percent. The drug czar's office under this administration until recently was reduced by 80 percent. This administration has presided over the appointment of such judicial figures as Judge Baer who is now a celebrity in his own right for an initial resistance to a drug case brought in a celebrated case in New York.

These isolated incidences though need to be looked at and reviewed again in the context of what has resulted from these decisions. And what has resulted is an alarming epidemic of drug use among American citizens, particularly our youth.

Drug use among teenagers has doubled in the last 36 months. From 1980 to 1992 drug use among teenagers was cut in half. It has now skyrocketed and as I said has virtually doubled. Mr. President, drug use among our youth age 12 to 17 since 1992 has gone from 2.4 to 3.8 million. That is all illicit drugs. It has gone from 1.6 to 2.9 million for marijuana. Drug use among 12th graders in that same 36 months is up 60 percent. For 10th graders it is up 95 percent. For eighth graders, Mr. President—eighth graders—it is up 110 percent.

The emergency room episodes of cocaine-related incidents has gone from 110,000 to 147,000. The role of substance abuse and violence has skyrocketed and is involved in 70 percent-plus of rapes in the United States. Every statistic, Mr. President, we can review is up and we are now presiding over a new drug epidemic in the United States. These statistics are a direct result of major changes in policy.

That is where we need to revert to truth-in-sentencing, new interdiction and being tougher on the judges who sit on the bench to fulfill and honor the laws of our land.

This is a war, Mr. President, that we cannot afford to lose, because to do so is to condemn millions, millions of Americans to devastation.

ADM. JAMES S. RUSSELL: IN MEMORIAM

Mr. GORTON. Mr. President, Jim Russell died last Sunday. My life and the lives of a legion of others are diminished as a result. Today the flags in Lakewood, WA, will fly at half mast for retired Adm. James Russell, who died last Sunday at the age of 93.

It is difficult to compress a panegyric for Admiral Russell into a few short minutes, but he was, after all, a modest

man who sought out neither praise nor glory. He eschewed grandiloquence, and so shall I. A simple retelling of his remarkable life will suffice.

James Russell was born in Tacoma, WA. When he was 15 he tried to join the Navy, but was turned away. Undeterred, he joined the Merchant Marine. His official naval career began in 1922 when he entered the U.S. Naval Academy. He went to the California Institute of Technology to get a master's degree in aeronautical engineering. In 1939 he worked on the design of the Essex-class aircraft carriers. Seventeen of the Essex-class were built, and none were sunk during World War II. He not only helped design, but also helped serve on the carriers, where he was, as the Tacoma News Tribune points out, the first naval aviator to take off from and land on the first six U.S. aircraft carriers.

In the war Admiral Russell served as a lieutenant commander of a patrol squadron in the Aleutians. He defended Dutch Harbor, and America against a Japanese fighter attack. Later on he fought in the Pacific aircraft carrier offensive that destroyed the Japanese fleet and helped assure the American victory. For his service, he received the Distinguished Service Medal twice, the Distinguished Flying Cross, and the Air Medal for Heroism.

Admiral Russell was part of the military occupation in Japan. In 1946 he became commander of the carrier USS *Bairoko*. In 1958 he rose to the No. 2 position in the Navy: vice chief of naval operations. From 1962 to 1965 he was commander in chief of NATO forces in Southern Europe. In 1965 he retired.

During the post-war period Admiral Russell helped develop the F-8 Crusader, the first of the Navy's aircrafts to fly 1,000 miles-per-hour, for which he was awarded the Collier Trophy in 1956. The Seattle Post-Intelligencer quotes Admiral Russell saying in 1994 that, "one of his proudest accomplishments was to have personally flown Navy aircraft ranging from biplanes to supersonic fighters."

After his retirement Admiral Russell was active in his community, and always kept abreast of military matters. He garnered respect and admiration from the people around him. Dignified, courteous, gracious, kind—these are some of the words his friends and associates use to describe him. His son Donald remembers that his father not only did not harbor ill feelings against his former Japanese enemies, but sought to reconcile with some of them. When two Japanese veterans—former pilots who had attacked the base where Admiral Russell served in the war—came to the Tacoma area to attend ceremonies marking the anniversary of the surrender, he insisted they stay with him, at his home. One can hardly think of a more apt example than this to describe the word "gracious." It was for this and for a lifetime of unimpeachable behavior that Admiral Russell was known as Gentleman Jim.

It was in his retirement that I met Jim Russell, who provided constant encouragement to me in my career—and constant wise counsel about the security of our beloved country as well. And so I will greatly miss him.

Admiral Russell is survived by his wife, Geraldine; a son and daughter-in-law, Donald and Katherine Russell; a daughter-in-law, Anitha Russell; a stepson, Fred Rahn; a stepdaughter, Barbara Frayn; five grandchildren and three great-grandchildren. His first wife, Dorothy, died in 1965. My condolences and prayers go to his family.

A few years ago Admiral Russell expressed his concern over all the honors he had received. "It worries me a little," he said. "I wonder if I've lived up to it." Clearly, the admiral was not a boaster. He did what he enjoyed; he served his country and his community, and he did not expect to be fussed over.

The Tacoma News Tribune mentions the mayor of Lakewood, Bill Harrison's, recollection of Admiral Russell:

Harrison said he still remembers seeing Russell during a military parade, dressed in white, a sword gleaming at his side.

He was absolutely resplendent, Harrison said. That was the first time I ever saw him, and that's the way I will always think of him.

What a treasure was James Sargent Russell. His life, of simple dignity, bravery, service, enthusiasm, and kindness, reminds us of the better angels of our nature.

One of Admiral Russell's nicknames was the ancient mariner. And so, in Coleridge's words, let us bid "Farewell, farewell, the Mariner is gone." Farewell, Admiral.

Mr. President, I ask unanimous consent that a front page article dated April 16, 1996, and a lead editorial dated April 17, 1996, from the Tacoma News Tribune be printed in the RECORD.

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

[From the Tacoma News Tribune, Apr. 16, 1996]

ADMIRAL RUSSELL, A LEADER AND A GENTLEMAN, DEAD AT 93

(By Hector Castro)

He was known as Gentleman Jim, the Gray Eagle, the Father of Naval Aviation and in recent years, the Ancient Mariner.

On Sunday, the man with so many titles, retired Adm. James S. Russell, died at his Lakewood home. He was 93.

"I have very fond memories of him," Lakewood Mayor Bill Harrison said. "He became one of my heroes."

Russell was a Tacoma native who went away to sea as a boy and returned 43 years later as a four-star admiral.

In a career that began before World War II, Russell was a Navy flier, a designer of aircraft carriers, commander of nuclear tests in the Marshall Islands and commander-in-chief of NATO forces in Southern Europe.

Russell's elder son, Donald Russell of Lakewood, said his father always loved the sea and the water.

"The last day he was alive he looked at me and said, 'I want to go to the lake. I want to go to the lake,'" Donald Russell said.

James Russell was 15 when he graduated from Stadium High School and immediately