

that we had made during the 1980's. If the trend continues, our next drug epidemic will be worse than the last one. We will not only have the walking wounded from our last epidemic—there are over 3 million hard-core addicts—we will also have a new generation of substance-dependent kids moving into adulthood. As we learned, or as we should have learned during the last time that we went through this, this dependence is not a short-term problem. For many addicts, it is a lifetime sentence.

For the communities, families, and the Nation that must deal with these people and with the problems associated with it, it is also often an open-ended commitment.

Along with this comes all the associated violence that has made many of our inner cities and suburban neighborhoods dangerous places. Not to mention the medical and related costs in the tens of billions of dollars annually. And all of this for something that advocates reassure us is purely a personal choice without serious consequences. This is one of those remarks that should not survive the laugh test.

The fact that it does, however, and people can somehow make light that personal choice of drug use is not something to worry about and doesn't have serious consequences is an indicator of our problem in coming to terms with the drug use.

In the last 5 years, the record on drugs has gotten worse. Pure and simple. It's not because we are spending any less on the effort. Indeed, the drug budget has grown every year. One of the first acts of the Republican Congress was to increase the money devoted to combat drugs. Yet, the numbers on drug use grow worse.

One of the leading causes of that is a lack of leadership at the top. The President and First Lady in previous administrations were visible on the drug issue. That is not now the case. The present occupant of the White House has put a great deal of emphasis on tobacco but he has been the Man Who Never Was on illegal drugs. More than this, the message about both the harmfulness and, just as important the wrongfulness of illegal drug use has been allowed to disappear. I leave to others to determine if the President's absence is because his advisors believe he has no credibility on the issue or simply do not care. Whatever the explanation, the result is an ambiguous message or no message.

If we could have the same message coming out of the White House on illegal drugs as we do on tobacco, I think we would be much further along on the road to victory on the war against drugs.

We need to be consistent in our no-use message on illegal drugs. To be ambiguous or complacent or indifferent sends the wrong message. The recipients of that muddled message are kids. The consequences of garbled messages can be seen in changes in attitudes

about drugs, and in drug use numbers among kids at earlier and earlier ages. We cannot afford this type of unmindfulness.

That is why we are having Drug-Free Iowa Month. We need to come together as a community to recognize the threat and deal with it. We need community leaders involved. We need our schools, politicians, business, entertainment, sports, and religious figures to be aware of the problem and engaged to deal with it. We can make a difference, but that begins with awareness. It requires an effort. It requires sustaining that effort.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### TRIBUTE TO BOBBY MULLER

Mr. LEAHY. Madam President, on October 13, the Army Times had an article by George C. Wilson entitled "One Man's Fight for a Better World." It is about a man I admire as much as anyone I have met in my years in the Senate, and that is Bobby Muller, the head of the Vietnam Veterans of America Foundation.

The article, written by George Wilson in his usual definitive and exacting manner, speaks about Bobby probably far better than I could and I am going to shortly ask to have the article printed in the RECORD. The reason I want to do that—though I doubt that there are many people in Washington who do not already know Bobby Muller, is because I hope those who read the CONGRESSIONAL RECORD will see this. He has been my inspiration and really my conscience on so many issues. But the thing that I think sets him apart from so many others is the fact that for well over a decade he has fought so hard to rid the world of landmines. He has done it not only in this country, in working with those of us who have sponsored and backed legislation to ban landmine use by the United States, but he has done it worldwide. He founded the International Campaign to Ban Landmines. He was its inspiration.

I talked with him early one morning a couple of weeks ago after hearing that the Nobel Committee awarded the Nobel Peace Prize to the International Campaign to Ban Landmines, which was shared with its coordinator, Jody Williams of Putney, VT. I said to Bobby at that time how proud he must be because he is the one who started this campaign, and who hired Jody to coordinate it worldwide. Because of his vision and the hard work of so many people, in Ottawa this December some 100 countries will sign a treaty banning landmines.

I am extremely proud of Bobby. I feel privileged to be his friend. I have certainly been helped over the years by his advice and by his conscience.

Madam President, I ask unanimous consent that the article be printed in the RECORD at this point.

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

[From the Army Times, October 13, 1997]

ONE MAN'S FIGHT FOR A BETTER WORLD

(By George C. Wilson)

"Oh my God! I'm hit! My girl. She'll kill me. I can't believe I'm dying on this piece of ground." Those were the last conscious thoughts of Marine 1st Lt. Bobby Muller as he lay bleeding on top of the hill he just taken in Quantri Province, Vietnam, in 1969. An enemy bullet had pierced his chest tumbled through his lungs and severed his spinal cord.

He woke up in a military hospital, astonished he was still among the living. "I'm here!" his mind silently screamed at him in astonishment, "I didn't die."

Like any 24-year-old, especially a former athlete, Muller inventoried his body while lying in the hospital bed. He discovered he was paralyzed from the chest down. He would walk again, much less run with this old teammates or dance with that girl back home.

The rest of this story could have been like that of so many other Vietnam veterans that you and I have known, and perhaps helped get through the night. An all-consuming bitterness that eats away at everything: jobs, marriages, self-respect. Nothing matters any more. The Vietnam War, for thousands of young men, trivialized everything after it.

Not so with Bobby Muller. He is one of those welcome, shinning Vietnam success stories, which I want to tell here, because it is both timely and timeless. Doesn't matter if you agree with him or not. To everyone from President Clinton, who has sought his counsel, to the secretaries who work for him at the Vietnam Veterans of America Foundation, Bobby Muller is a man committed to leaving the world better than he found it.

Of late, Muller, from his wheelchair, has been the most credible and powerful voice arguing for ridding the world of anti-people land mines, which kill or maim somebody somewhere every 22 minutes. Years ago, he railed against the Vietnam War, calling it an "atrocious" and demanded that the Veterans Administration stop treating the men who got hurt in it like lepers. Many VA hospitals really were as bad as the one portrayed in the movie "Born on the Fourth of July".

"People would call me a traitor," he told a television audience, in recalling the reaction to his anti-war statements in the 1970s. "It's harder for me to repudiate the war," the paraplegic told his detractors. "Don't you think I'd love to be able to wrap myself in the mantle of being a hero? Don't you think I'd love to be able to say that what happened to me was for a reason—it's a price you got to pay for freedom? When I have to say what happened to me, what happened to my friends, what happened to everybody over there was for nothing and was a total waste, that's a bitter pill to swallow."

Muller did swallow the pill. It still burns in his gut. But he has managed to use the burn to fuel his drive, not consume it.

"The reality of that war has stayed with me every day," Muller has said. "I know what it is to have people around me die. I know what it is to hear the screams in the recovery room. The most important thing for me in life is dealing with those issues

that come out of war. And particularly the Vietnam War."

Muller learned the hard way that he had to mobilize not only himself, but also other Vietnam veterans before he could take the new hills he set out to conquer. He was thrown out of the Republican convention in 1972 for shouting at President Nixon to stop the war. He needed comrades and soon got them, founding the Vietnam Veterans of America in 1978. He left that membership organization in 1980 to found and head the more broadly involved Vietnam Veterans of America Foundation. Nobody throws Bobby Muller out of anywhere anymore.

White-haired but still passionate about his causes, the 52-year-old Muller has led the battle against land mines from up front. How would you like to be Clinton and—in refusing to sign the treaty banning anti-personnel land mines—pit your thin credibility and bureaucratic rhetoric against such penetrating statements as these from Muller, who had a mine blow up near him before he was shot in Vietnam:

Land mines, mostly our own, were "the single leading cause of casualties" to U.S. service people in Vietnam. "Land mines are not a friend to the U.S. soldier. They are a threat to the U.S. soldier. The Pentagon is institutionally incapable of giving up a weapon."

I don't fault the Joint Chiefs of Staff for fighting to keep their weapons, including certain types of land mines. That's their job. And it was ever thus. But it's the president's job to stand up to the chiefs if the Mullers of the world have the more persuasive case.

"I can't tolerate a breach with the Joint Chiefs," Muller says Clinton told him. You can, and should, Mr. President. You're our only commander in chief. And Bobby won't let you forget it as he takes this new hill.

Mr. LEAHY. Madam President, there is much more I could say about Bobby Muller, but I know what would happen if I went on longer. I would hear from him and he would chastise me for praising him, because Bobby always finds others to praise. I have probably risked that already, but I want people to know that this is a man who has done so much for the world and a man who should feel so honored by what he did to create the International Campaign to Ban Landmines and by its receipt of the Nobel Peace Prize.

#### REPUBLICAN ATTACKS ON THE INDEPENDENCE OF THE FEDERAL JUDICIARY

Mr. LEAHY. Madam President, last month, the President of the United States devoted a national radio address to the threats being posed to our federal judiciary by the campaign of intimidation, including the stall in confirming judicial nominees for the almost 100 vacancies that persist nationwide. It is a sad day when the President must remind the Senate of its constitutional responsibilities to consider and confirm qualified nominees to the Federal bench. I regret that we have reached this point.

The President's address was an important one. I hope that his call for an end to the intimidation, the delay, the shrill voices of partisanship will be headed. I will continue to do all that I can to defend the integrity and inde-

pendence of our federal judiciary and to urge the Republican leadership of the Senate to move forward promptly on judicial nominations. I ask unanimous consent that a copy of the text of the President's address be printed in the RECORD at the end of my statement.

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

(See exhibit 1.)

Mr. LEAHY. I have previously included in the RECORD on July 31 a letter dated July 14 to Senator LOTT from the presidents of seven national legal associations similarly urging the Senate to act to preserve the integrity of our justice system by fulfilling its constitutional responsibility to expedite the confirmation process for federal judges so that longstanding vacancies could be filled. These bar association presidents noted the "looming crisis in the Nation brought on by the extraordinary number of vacant federal judicial positions."

Last month also saw the publication of a report by People for the American Way entitled "Justice Delayed, Justice Denied: The Right Wing Attack on the Independent Judiciary." This report concludes that the campaign attacking the legitimacy of the judiciary and pressuring the Senate not to process the judicial nominees of the President is resulting in the judiciary not having the judges it needs to fulfil its responsibilities:

Dockets are backing up, cases are going unheard for years at a time, justice is being delayed. In the end, the right wing's campaign has increased the risk that the law will not be enforced because there are too few judges to enforce it.

During the week of September 22 through September 26, National Public Radio broadcast a series of five reports on the federal judge shortage by correspondent Nina Totenberg.

When a U.S. attorney can refer to the lack of courtrooms and Federal judges as a bottleneck in the criminal justice process and the chief judge of a Federal district court can acknowledge that the court is so overwhelmed with criminal cases that it is operating like an assembly line, that cases are not given the attention that they deserve and that you know that you're making a lot of mistakes with—because of the speed, we have reached a crisis. That is not American justice, that is not the Federal justice system on which all of us rely to protect our rights while enforcing the law.

I have addressed the Senate on this problem on a number of occasions already this year, including March 19, March 20, April 10, May 1, May 14, May 23, June 16, July 31, September 4, September 5, September 11, September 25, September 26, October 9, and October 21. I have spoken of it at meetings of the Judiciary Committee on March 6, April 17, May 22, June 12, July 10, July 31, September 18 and October 9 and in Judicial Committee hearings on March 18, May 7, June 25, July 22, September 5, and September 30.

The current vacancy crisis is having a devastating impact on the administration of justice in courts around the country. Let me note a few examples:

In the Northern District of Texas, a family filed their lawsuit 7 years ago and is still waiting for their day in court.

Chief Judge J. Phil Gilbert, head of trial court in the Southern District of Illinois, where two of the four judgeships are vacant, reported that his docket has been so burdened with criminal cases that he went for a year without having a hearing in a civil case. That happened despite the fact that 88 percent of the cases filed in all Federal trial courts were civil, while only 12 percent were criminal in 1996.

In California, one family's 1994 lawsuit against police, filed after the family's 14-year-old child was killed in a police chase 6 years ago, is still pending.

In Oregon, the Federal courts has stopped doing settlement conferences, an invaluable tool for resolving claims before trial, because of the unavailability of judges.

Due to vacancy problems, the district court in San Diego is holding only 10 civil trials per year.

In Florida, to reduce an expected backlog of 4,400 cases, 10 district court judges have announced that they will hold a 3-month marathon session in Tampa next year.

In the Ninth Circuit Court of Appeals, for which the Senate has found time to include as a rider on an appropriations bill a politically inspired plan to split the circuit but not to fill any of the 10 vacancies that plague that Court, 100 oral argument panels and 600 hearings were canceled this year due to lack of judges. As a result, it takes a year after closing briefs have been filed to schedule oral arguments.

Chief Judge Ralph Winter testified that the Second Circuit Court of Appeals expects to include a visiting judge on 80 percent of its panels over this year in light of the four unfilled vacancies on that court and its burgeoning workload.

Across the country, the number of active cases pending for at least 3 years jumped 20 percent from 1995 to 1996, and there are now more than 16,000 Federal cases older than 3 years.

These are real life examples of the harm caused by the irresponsible lack of action by this Senate in considering highly qualified judicial nominations. It is time for the Senate to fulfil its constitutional responsibility to confirm the Federal judges needed for the effective administration of justice.

Judge Stephen Trott, formerly a high-ranking Reagan appointment in the Department of Justice, included the following summary of the situation in which the ninth circuit finds itself in light of the Senate's unwillingness to consider nominees to fill the vacancies that plague that court in an opinion that he wrote early this year:

With nine [now ten] vacancies out of twenty-eight authorized judges in the United