

substance abuse treatment, prevention, education and research programs and make recommendations about how to "streamline, consolidate, coordinate, simplify, and more effectively conduct and deliver" these services.

Mr. HATCH. I understand that this provision is intended to allow the administration to assess current treatment, prevention, education and research programs. The conference report directs the President to conduct the study. The President's logical choice to conduct this study would be Drug Czar John Walters, the President's point person on the drug issue, wouldn't you agree?

Mr. BIDEN. Yes, I would.

Mr. President, I want to make it clear that Section 2202 of the 21st Century Department of Justice Appropriations Authorization Act was not included because the Senate wants to cut substance abuse treatment, prevention, education and research programs. After all, when the Senate unanimously passed S. 304, the Drug Abuse Education, Prevention and Treatment Act, which Senators HATCH, LEAHY and I introduced, it went on record supporting an increase in funding for demand reduction programs, including providing treatment for some of the 3.9 million people in this country who need it but are not receiving it. I know that the President does not want to shrink these programs either. Recall that when he announced Mr. Walters' nomination to be drug czar, he said that "the most effective way to reduce the supply of drugs in America is to reduce the demand for drugs in America" and he pledged that his administration "will focus unprecedented attention on the demand side of the problem." As I see it, the study is meant to assess current programs in order to identify where there may be duplication of effort and where we need to increase effort.

The belief that demand reduction programs are a valuable part of our national drug policy needs to guide this report. That does not mean that the authors should be afraid of recommending ways to deliver services more efficiently or to suggest that there is duplication of effort that needs to be streamlined. What it means is that the report should not be interpreted as a directive from Congress to decrease the level of effort dedicated to demand reduction.

Increasing access to treatment is critical. Drug addiction is a chronic relapsing disease. And as with other chronic relapsing diseases, such as diabetes, hypertension and asthma, there is no cure, although a number of treatments can effectively control the disease. According to the Journal of the American Medical Association, the rate of adherence to treatment programs and relapse rates are similar for drug addiction and other chronic diseases. That means that treatment for addiction works just as well as treatment for other chronic relapsing dis-

eases. I hope these facts will be reflected in the drug czar's report, particularly in terms of relapse. We should not be skimping on the amount of time a patient spends in treatment because someone thinks that would be more efficient. In truth, it would be less efficient. Studies have shown that the longer a patient spends in treatment the more likely that patient is to stay off drugs. But even with the best treatment protocol, patients relapse. That does not mean that treatment does not work, however.

Research is another area where returns on investment are not always linear or predictable. But I believe that we need to be doing more research on new forms of treatment, particularly when it comes to developing new anti-addiction medications. In the last Congress, I worked with Senators LEVIN and HATCH and former Senator Moynihan to pass a law to allow qualified doctors to prescribe certain anti-addiction medications from their offices rather than requiring patients to pick them up at special clinics. The bill helps to move drug treatment using anti-addiction medications into the medical mainstream. And buprenorphine, the first medication that could be prescribed under the system created by the bill, is expected to be approved any day now. We need to develop additional medications for this new system to treat cocaine and methamphetamine addiction as well as to curb the cravings associated with addiction.

The last item that I would suggest that the drug czar keep in mind when drafting his report is the importance of prevention, particularly school-based prevention programs. After several years of a stable level of drug use in the United States, this year drug use is up 11 percent among 12 to 17-year-olds and 18 percent among 18 to 25-year-olds. It is vital that we increase our current efforts at preventing drug use among teens and young adults. After all, we know that if we can get a child through age 21 without abusing drugs, they are unlikely ever to do so.

My goal is not to dictate what the drug czar writes in his report. Rather, I want to make clear that when Congress directs that the drug czar write a report on how to "streamline, consolidate, coordinate, simplify, and more effectively conduct and deliver" Federal drug and substance abuse treatment, prevention, education and research programs, it does not mean that we are trying to minimize the importance of these programs. We are merely looking for guidance on how they could be delivered more effectively and more efficiently.

SENATOR JESSE HELMS

Mr. SHELBY. Mr. President, I rise today to pay tribute to North Carolina Senator JESSE HELMS, a dedicated public servant who has served with distinction for five terms in the United States

Senate. During this time, Senator HELMS has had a tremendous influence on the issues which have faced our country and his reasoned and determined beliefs on foreign policy have helped to shape the direction of America's relationships around the globe. In doing so, Senator HELMS has always put the interests of the United States above all else, and his efforts were often rewarded with hard-fought concessions. Indeed, when others would hope to expedite and rush through legislation, it was often Senator HELMS who called for deliberation and patience. Senator HELMS truly understands the Senate's function as a deliberative body and takes to heart the great responsibility the Constitution has given the Senate in its role as a check to the powers of the Executive branch. I have had the pleasure to work with Senator HELMS for the past 16 years and it is with great appreciation and respect that I commend him for all of his meaningful work as he retires at the end of the 107th Congress.

Senator HELMS was born in Monroe, NC in 1921. A product of the public schools of Monroe county, he took to heart the lessons he learned early in life. A firm believer in family, respect for one's elders, morality, patriotism and religious faith, Senator HELMS has let these convictions be his guide throughout his life. After serving his country in the Navy during World War II, Senator HELMS came back to his home State as a city editor of the Raleigh Times. It was not long before he received his first exposure to Senatorial duties working as an Administrative Assistant to U.S. Senator Willis Smith and later for Senator Alton Lennon. Politics seemed to agree with Senator HELMS, for in 1952, he directed the radio-television division of the presidential campaign of Democratic Senator Richard B. Russell of Georgia. For the next 7 years, Senator HELMS served as the Executive Director of the North Carolina Bankers Association and editor of the Tarheel Banker, which grew under his guidance into the largest banking publication in the United States. Following this remarkable success, Senator HELMS in 1960 became the Vice-President, Vice-Chairman of the Board and assistant Chief Executive Officer of Capitol Broadcasting Company. It was from this post that Senator HELMS became a familiar voice in politics, filing daily editorials for WRAL-TV and the Tobacco Radio Network. Over the next 12 years, Senator HELMS became known as an articulate conservative across the nation, where his editorials were printed regularly in more than 200 newspapers throughout the United States and broadcast by more than 70 stations in North Carolina. Senator HELMS capitalized on his familiarity and popularity with the voters of North Carolina in 1972, when he was elected to the U.S. Senate on his first attempt at state-wide elective office. His election marked the beginning of a long and distinguished career in the Senate, where

Senator HELMS has been an active and consistent presence dedicated to preserving American freedom and liberty.

Senator HELMS has had a tremendous influence on policy matters over the last 30 years. He has been an outspoken critic of ceding American power to international organizations and an ever-vigilant watch dog of any treaty or agreement which may not be in the best interests of the United States. He has been a reliable conservative voice on many social issues and a consistent critic of government bureaucracy. Of his many achievements, Senator HELMS has been the most active through his position on the Foreign Relations Committee, which he took over as Chairman in 1994. He sponsored the Helms-Burton Act, which codified the U.S. trade embargo against Cuba and allowed lawsuits against foreign companies who benefitted from American property expropriated by Castro's Communist dictatorship. Senator HELMS also achieved another remarkable feat, when in 1998, he worked across the aisle to achieve passage of historic legislation reorganizing the State Department. Senator HELMS has also maintained flexibility in his thinking, working closely with other members of the Foreign Relations Committee to examine and solidify the relationship of the United States and the United Nations, examine trade relations with China and examine the policies surrounding U.S. foreign aid.

Senator HELMS has had a significant impact in his 30 years here in Washington. His absence from important policy decisions will truly be missed. Anyone who has dealt with Senator HELMS knows that he is a man whose conviction to his beliefs will not be easily swayed. They will also tell you that there are few people who are more congenial and charming than Senator HELMS. I wish he and his wife, Dorothy, and the rest of his family all the best. It is with great appreciation and admiration that I offer these words to commemorate his retirement.

ACHIEVEMENTS OF THE SENATE JUDICIARY COMMITTEE

Mr. LEAHY. Mr. President, today we held the 26th hearing for judicial nominees since the change in majority in the summer of 2001. The Judiciary Committee has now considered 103 nominees in less than 15 months. It took the Republican-controlled Senate 33 months—almost 3 full years—to hold hearings for 100 of President Clinton's judicial nominees, although more than 100 were pending well before that. We have reached that mark in less than half that time.

Since the summer of 2001, we have held more hearings for more judicial nominees—103 candidates—than in any comparable 15-month period of the 6½ years before the Senate changeover last year.

We have also held more hearings for circuit court nominees—20—than in

any comparable period of that previous 6½ years, when our predecessors allowed an average of only seven circuit court nominees to be confirmed per year. In the past three weeks we held two back-to-back hearings for controversial circuit court nominees back to back. In contrast, at 11 of the judicial nomination hearings held during the prior period of Republican control, no circuit court nominees were on the agenda.

During their 6½ years of control of the Senate, there were also 30 months in which Republicans held no hearings at all. Democrats have held at least one hearing per month and have held almost two per month on average. We have been working nonstop to address the vacancy crisis we inherited. In the 6½ years of Republican control, before the reorganization of the committee last summer, vacancies on the Courts of Appeals more than doubled from 16 to 33 and overall vacancies rose from 65 to 110.

Added to that were the 47 new vacancies that have arisen since last summer. Thus, rather than 157 vacancies, with the 80 circuit and district court nominees we have confirmed, there are now 77 vacancies.

The President has yet to nominate anyone for 30 of these vacancies. With today's hearing for 7 judicial nominees, we will have held hearings for 21 of the 47 nominees currently pending.

Many of the 26 judicial nominees who have not yet had a hearing were nominated only recently toward the end of this congressional session. Due to the White House's refusal to allow ABA peer reviews to begin prior to nomination and because the ABA peer reviews have been taking between 50 and 60 days from the time of nomination, the White House knows that many of these late nominees will not have their files completed in time for hearings.

Thus, of the 26 who have not yet had a hearing, only seven have completed files—especially, ABA reviews and the consent of both of their home-State Senators. That is, the majority of the nominees who have not yet had a hearing—19—do not have completed files. Of the seven who are eligible for a hearing, but who have not yet had a hearing, six have relatively controversial records which require more review. The only remaining district court nominee did not have a complete file by the time the last hearing was noticed.

Accordingly, with today's hearing, since the changeover last year we will have held hearings for 103 of the 110 eligible judicial nominees with complete files. Thus, 94 percent of this President's judicial nominees who had completed files have been given hearings. This remarkable achievement is irrefutable evidence of the good-faith efforts we have made to restore order to the confirmation process—good faith efforts that we continue to hope will be matched by the White House.

I am certain that President Clinton would have been overcome with grati-

tude if the Republicans ever gave 94 percent of his judicial nominees hearings in the years Republicans controlled the confirmation process during his administration. They never did. Instead, in 1995 for example, Republicans allowed only 58 of the 86 pending judicial nominations of President Clinton to be confirmed, nowhere near 100 percent or even 90 percent.

In 1996, Republicans allowed only 17 of the 49 pending judicial nominees, or 35 percent, to be confirmed, and none were circuit court nominees. In 1997, Republicans allowed only 36 of the 79 Clinton nominees to be confirmed, or 46 percent. In 1998, Republicans allowed 66 of 92 pending judicial nominees to be confirmed. In 1999 they allowed only 33 of the 71 judicial nominees to be confirmed, about 46 percent, and in 2000 they allowed only 39 of the 81 pending judicial nominees to be confirmed, or 48 percent. Thus, during their 6 years of Senate control during the Clinton administration, Republicans allowed only about half of the judicial nominations to be confirmed on average per year. Their percentages are even worse for circuit court nominees. These are detailed in my floor statement of October 4.

To this point, the Senate Judiciary Committee has voted on more judicial nominees—83—and on more circuit court nominees—17—than in any comparable 15-month period of prior Republican control. The Democratic-led Senate has already confirmed 80 of the judicial nominations of President George W. Bush. In so doing, we have confirmed more judicial nominees in less than 15 months that were confirmed in the last 30 months that a Republican majority controlled the Senate. We have done more in half the time.

The expeditious pace should not be construed as a rush to process the appointment of judges to lifetime positions. I ask unanimous consent to print in the RECORD several recently published editorials from the Rutland Herald, the Barre Montpelier Times Argus and the Los Angeles Times. Each of these articles emphasize the important obligation of the Senate to thoroughly review the records of the President's judicial nominees. They serve as an important reminder that our outstanding record of treating President Bush's nominees more fairly and more expeditiously than President Clinton's nominees were treated.

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

[From the Los Angeles Times, Oct. 3, 2002]

CAUTION ON COURT NOMINEES

Since George Washington took the oath of office, U.S. presidents have nominated 140 men and women to the Supreme Court and many more to the federal courts of appeal and trial courts. In two centuries, the Senate has rejected 11 Supreme Court nominees and an uncertain number of prospective lower court judges. Seven others withdrew their high court nominations, some to avoid likely defeat.