

of the National Park Foundation so it can work with the private sector to raise additional funds for parks. It would encourage business relationships similar to those engaged by the National Fish and Wildlife Foundation and the National Forest Foundation.

Second, it will grant the sort of authority already enjoyed by the U.S. Olympic Committee to sanction appropriate private sponsorship of the parks.

Third, each year publishing, advertising, movie making, and similar pursuits make use of the intellectual property and assets of our national parks with virtually no return to the parks. Reform is needed to enable the Park Service, through the National Park Foundation, to capture some of the potential income through licensing and other marketing agreements.

Fourth, the legislation will contain safeguards to negate improper commercialization of our parks, but it will allow new revenue-generated opportunities outside the parks in partnership with the private sector.

The National Park Foundation was created by Congress in 1967 as an official nonprofit partner of the National Park Service. It serves as a vehicle for donors who want to contribute with the assurance that gifts will be carefully managed and used wholly and exclusively for the purpose specified by the donor. It is governed by a board of civic and distinguished leaders committed to helping the parks, with the Secretary of the Interior serving as chairman, and the Director of the Park Service serving as secretary. None of this is going to change, Mr. President.

During the last 5 years, the foundation has made over \$10 million in grants to our national parks, but the changes contained in my legislation will empower it to contribute much more for the repair and preservation of the C&O Canal and other elements of our park system.

Obviously, none of this will or should detract from the Federal Government's or the Park Service's responsibility to our parks. The goal is to augment that involvement with additional private funds, much like those currently being raised by the March for Parks, and I commend the Secretary of the Interior for his effort in this regard.

Finally, we need the private sector, including those for-profit organizations who have used the National Park Service facilities and property and given little or nothing in return to help sustain our parks for the future.

The private sector can help by providing additional funds for resource management and infrastructure repair required in our parks across the Nation.

The C&O Canal National Historical Park and our other park units across the Nation connect us to our past and provide us with a vision of the future. They are some of the most beautiful and historic parcels of land to be found. In the spirit of Earth Day and American generosity and philanthropy, it is

time for us to make the effort to meet the challenge.

Thanks to the NPCA, WRC-TV and the thousands of marchers and volunteers who tomorrow will be helping to show us the way. In the spirit of Earth Day, I ask for each Senator's help in passing this legislation to help our parks, and I commend our leader, Senator DOLE, for supporting this.

I thank the Chair and thank my friend from Georgia.

The PRESIDING OFFICER. Under the previous order, the Senator from Georgia is recognized.

#### A TRAGIC ASSAULT: DRUG USE AMONG TEENAGERS

Mr. COVERDELL. Mr. President, this morning we gathered in the Senate Chamber to remember a very solemn moment in American history: the needless loss of 168 citizens in Oklahoma City. It reminds me of another tragic assault that goes on against the youth of our country on a day-to-day basis.

In the last 36 months, drug use among our teenagers 8 to 15 years of age has doubled, and we are in the midst of a new epidemic. What does that mean? That means that nearly 2 million—2 million—American youth have been ensnared in the assault by the drug lords of this hemisphere and their lives are potentially ruined, devastated and stunted.

Not only will their lives be impaired and ruined, but a chain of events will follow because as these youngsters are consumed by drugs, they are driven into a life of crime, an effect on our Nation which is immeasurable.

Of the 35,000 prisoners in Georgia this morning, 80 percent of them are there today because of drug-related offenses. The impact of this war, this assault on the youth of our country is having a devastating impact across the land as it drives crime, assault and battery, murder, theft, robbery, burglary.

Mr. President, I spent a few minutes with President Zedillo of Mexico not long ago. He said the drug war was the single greatest threat to his country. I said, "I agree with you, Mr. President, with one amendment. The drug war is the single greatest threat to this hemisphere of democracies, to all of our nations in this hemisphere of democracies."

Mr. President, I yield up to 10 minutes to my distinguished colleague, the Senator from Iowa, the chairman of a drug task force and eminent figure in this issue and assault on the youth of our country. I yield 10 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

#### PRESIDENT CLINTON'S JUDICIAL NOMINEES SOFT ON CRIME

Mr. GRASSLEY. Mr. President, today we do remember what happened 1 year ago in Oklahoma City, a very horrible crime. People are concerned

about crime in America. People expect the Congress of the United States to do something about crime. We have this week taken a giant step by passing the antiterrorism bill that the President says he will sign.

So I rise this morning to talk about crime as the Senator from Georgia indicated. The war on drugs has a lot to do with the whole subject of crime, but I also want to make some reference to the negative effect that this administration has had on the Federal courts.

I think it is fair to say that President Clinton's judicial appointments communicate the President's vision of the kind of America that the President would like to have. I do not share his soft-on-crime vision. I do not think most Americans do. Mr. President, you can say that you are putting all the cops on the streets all you want, but unless you appoint Federal judges who will enforce the law and protect victims over criminals, all the cops in the world will not make any difference.

In regard to the appointments that the President made, I read with amusement in this morning's Washington Post where Vice President GORE attempted to defend President Clinton's record on judicial nominations. I believe that the Vice President's efforts fall far short. For instance, one of his primary arguments is that this administration's nominees have enjoyed more support from the American Bar Association than the last three administrations. Mr. President, this just goes to show how out of touch the Vice President is with the American people and with even the President's own appointees.

President Clinton has a powerful ally in his judicial jihad to protect criminals, and that happens to be the American Bar Association, because somehow the ABA mysteriously and without input from the American people set itself up as the ultimate arbiter of who should or should not be a judge. The ABA happens to share the President's own frightening vision of criminals' rights over victims' rights.

We just passed a very fair and balanced antiterrorism bill in this body. That bill contained habeas corpus reform, badly needed, to permit prisoners just one bite at the apple and to limit that bite in order to stop frivolous and successive postconviction appeals that allowed people to stay on death row for 10 to 15 years. Vice President GORE uses the ABA as a mantle to say that the President's judges are ideal appointees. Yet the American Bar Association strongly opposes these necessary anticrime provisions that were in the antiterrorism bill.

Unfortunately, I believe that the current administration has then done a disservice to the American people by gathering liberal activists from every coffee house and every street corner in America and nominating them to some of the most important and influential Federal courts in America.

Few Americans would dispute and few in this body dispute the fact that

in the arena of criminal justice, the legacy of the Earl Warren Supreme Court of the 1960's and 1970's has been devastating. Violent criminals who have committed heinous, shocking crimes are routinely freed on bogus technicalities first invented during the Earl Warren period. We are still paying that price. These violent individuals go back out on the streets and commit even more crimes and victimizing more people.

Until the President came on to the scene, I thought that we had turned a corner on that sort of Warren Court thinking. I had thought there was a broad consensus that law enforcement should not have their hands tied by highly technical rules. I had thought that there was a broad consensus that serving time in prison for committing crimes should be punishment and not a blissful vacation at taxpayers' expense.

But, Mr. President, I was wrong. President Clinton has sent up a number of law professors and liberal activists to sit on the Federal bench and impose their preconceived, unrealistic ideas on the rest of America. Now, a simple fact of American Government: Bad judges are worse than even bad Presidents, because we can vote bad Presidents out of office, but we are stuck with bad judges for life. We cannot send them back to their coffee houses and street corners. To be honest, the Republican-controlled Senate has been somewhat to blame, as we trusted the President to do the right thing. But now with this record, Mr. President, I think it is time that we start giving judicial nominees the scrutiny that they obviously deserve.

We have been lax, in deference to the President. But that needs to end given his poor performance of nominating judges intent upon protecting criminals over victims' rights. Of course, we in the Senate have a right under the Constitution to comment on the direction the country is taking and how the courts have played a role in this. So the concept of the separation of powers remains untouched and intact and alive and well.

Take a good, hard look at some of the President's more notable judges. In the first circuit Judge Sandra Lynch overturned a life sentence imposed for a brutal murder. This is a pattern that we see over and over again—liberal, soft-on-crime, Clinton judges lending convicted felons a hand.

In the Second Circuit Court of Appeals, Judge Guido Calabresi dissented from an opinion which denied a prisoner the right to receive pornography in his jail cell. This is another theme with Clinton judges, making sure that prisoners have all the amenities that they want. The logic must be that prison should not be too uncomfortable or too difficult.

In the Third Circuit Court of Appeals, Judge H. Lee Sarokin has issued a few zingers. This judge has ruled that prisoners have a constitutional right to prevent prison officials from opening

and inspecting mail. This judge has voted to overturn the death sentences of two murderers who brutally ended the lives of two elderly couples.

In the fourth circuit, Judge Blane Michael argued in a dissenting opinion that a criminal who had tried to murder a Federal prosecutor could not be found guilty under Federal statute prohibiting the mailing of a bomb to Federal officials because the bomb was poorly made and unlikely to actually explode. Mr. President, how could this judge have done any more to help that criminal?

In the Fifth Circuit Court of Appeals, District Judge Robert Parker ruled that it was unconstitutional for the police to search for hidden marijuana plants by using an infrared device. Mr. President, what more could drug dealers ask for to help them?

In the Eleventh Circuit Court of Appeals, Judge Rosemary Barkett wrote an opinion granting a hearing for a man who had been convicted of setting his former girlfriend's house on fire and killing her two children.

Lest anyone think that the President has seen the errors of his ways and will start putting more mainstream judges on the Federal bench, let us look at a nonconfirmed nominee to the eleventh circuit. At his recent judiciary confirmation hearing, Mr. Stack was asked what he thought of the applicable law of search and seizure law relative to the now infamous New York case in which Judge Baer initially suppressed evidence of millions of dollars worth of illegal drugs.

Mr. Stack was unable to cite even the most fundamental criminal law precedents. In fact, his only comment that he made was that he would "applaud the use of all evidence \* \* \* legally obtained in the courtroom" but would not want to "throw \* \* \* away the constitutional guarantees that each of us in America is afforded." I do not believe this is a response worthy of a Federal circuit court nominee. This is unacceptable from a circuit court nominee who is supposed to have the necessary credentials and qualifications for appointment to the Federal bench.

Next to the Supreme Court, the Federal court of appeals is the most important court in the country. It appears as though Mr. Stack's qualifications for the eleventh circuit post has been based solely on raising \$11 million for President Clinton's 1992 Presidential campaign and another \$3.4 million for the National Democratic Committee, and not on Mr. Stack's legal capacity, his competence, or his temperament. If this does not at least give the appearance of buying a Federal court seat, I do not know what does.

In fact, Mr. Stack has little, if no experience, in criminal law or practice before the Federal courts. He has no substantive legal writings to speak of.

Further, Mr. Stack was surprisingly ignorant about recent developments in the law. Mr. Stack was comfortable

telling the Senators at his confirmation hearing that he would seek guidance from other judges and the Federal Judicial Center if he was not knowledgeable about a particular area of law. So I look to him asking Judge Barkett, that what she can teach him and mold him about Mr. Stack's views of criminal law as a fierce defender of criminals—I think it is clear that the American people find this extremely disturbing.

In conclusion, with Clinton-appointed judges, I think a pattern has emerged. In those rare circumstances when Clinton judges believe that criminals should go to prison, they certainly want to make sure that prison is not too inconvenient. While Clinton judges write on and on about the rights of prisoners, they are silent about the rights of crime victims. That is why it is so important for the Senate to speak out to be the champions of the victims and not of the predators.

Mr. COVERDELL. Mr. President, I thank the Senator from Iowa for his thoughtful remarks. They were very eloquently presented.

I yield up to 10 minutes to the distinguished Senator from Texas.

#### CRIME IN AMERICA

Mrs. HUTCHISON. Thank you, Mr. President. I thank my colleague from Georgia.

Mr. President, today all Americans will stop and remember the terrible tragedy that occurred 1 year ago today in Oklahoma City. We extend, all of us in the U.S. Congress and all over America, our prayers and our thoughts to those who lost family and friends in that senseless tragedy.

Last week, Congress passed laws to make it harder for criminals to inflict the kind of terror we saw in Oklahoma City and at the New York World Trade Center before that. This antiterrorist law is just one small step toward taking back our cities, our towns, and our communities. Taking them back from dangerous and predator criminals who have made us afraid to walk the streets at night, who have forced us to put bars on our windows, and who have caused us to place metal detectors in our Federal buildings and in some public schools in our country.

Mr. President, one thing the law we just passed does is make it harder for prison inmates to file years and years of appeals that tie up our courts for years, dulling the sword of justice. Often, to many Americans, it seems as if our court system cares more about criminals' rights than the rights of law-abiding citizens. But there is more the American people expect of us. They have had enough of liberal judges who think it is their responsibility to turn dangerous criminals out to society, when society would like to keep them behind bars. They are tired of a revolving-door justice system.