weapons, you are joining a global order in which those who play by the agreed rules enjoy ever-widening benefits and privileges and those who do not are left out and behind.

The point is that this country must demonstrate moral leadership on this issue and must do it now.

Seventy to eighty percent of the American people support the ratification of this treaty. Most American people understand that this issue is about who is going to have access to nuclear weapons in the future. And, incidentally, on the issue of nonproliferation of nuclear weapons, which is about as important an issue as there is for us, this is a baby step. If we can't take the baby step of ratifying this treaty, what on Earth will be the result of tougher, more difficult things we are called upon to do?

This isn't Republican or Democrat. It is a responsibility for all Members of the Senate to say it is outrageous that after 700 days, a treaty that has been signed and sent to the Senate has not been ratified or had one day of hearings. We have an obligation and a responsibility. We, in my judgment, have a right to expect this be brought to the floor for a debate and a vote.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Wyoming is recognized.

ORDER OF PROCEDURE

Mr. THOMAS. Mr. President, I think we have 30 minutes assigned in morning business. I want to begin to talk about what I think is a very big issue; that is, the appropriations discussions that will take place on the Interior and related agencies which will start after morning business.

I would like to yield to my friend, the Senator from Arizona.

The PRESIDING OFFICER. We have time reserved for the Senator from Wisconsin. The Chair was alternating back and forth.

Mr. THOMAS. It was my understanding that we had an hour of time and half was ours and half of it was already used.

The PRESIDING OFFICER. They have time remaining. The Senate had a late start.

Mr. FEINGOLD. Mr. President, if I could be of help, it is my understanding they have 30 minutes and, subsequent to that, Senator REID and I will each have 10 minutes. That is my understanding of the unanimous consent agreement.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Thank you, Mr. President. I thank the Senator from Wisconsin and I thank Senator THOMAS from Wyoming.

THE NUCLEAR TEST BAN TREATY

Mr. KYL. Mr. President, I just want to talk for a brief bit of time on the Interior appropriations bill and on some matters that are very important to people throughout this country, particularly in the West. But let me begin by making a comment about what the Senator from North Dakota has just said. In fact, he has said that he is going to threaten to bring the business of the Senate to a halt unless he gets his way, and what he wants to do is have a debate on the Comprehensive Test Ban Treaty.

There are a lot of important things facing this country. But to quote from the President of the United States, who very recently gave a talk about putting first things first, it seems to me that most of the American people would like to put first things first, and that would include matters such as the continuation of the running of the Government for the next year which would require us to pass appropriations bills to fund the various Departments of the Government, not the least of which is the Department of the Interior which is what we are going to be talking about next. There will be plenty of time to debate the Comprehensive Test Ban Treaty.

But in terms of the priority of this country, I think our colleagues need to understand that treaty can't even go into effect until 100 percent of the major countries of the world sign it. There are many countries that haven't signed it. It is going to be years before that treaty goes into effect. There is no rush for the United States to have to take up that treaty.

To be threatened with stopping all business of the Senate until it can debate the Comprehensive Test Ban Treaty, I hope my colleague will reconsider his position on that. We talk about what I consider to be first things first, and that would be to finish our business here, which is, first of all, to get the appropriations bills passed and sent to the President for his consideration.

INTERIOR AND RELATED AGENCIES APPROPRIATIONS

Mr. KYL. Mr. President, one of the appropriations bills we have yet to act upon is the Interior appropriations bill, as Senator THOMAS pointed out. He comes from the State of Wyoming. I come from the State of Arizona. Practically every State west of the Mississippi is significantly impacted by this bill because, as I am sure you are well aware, Mr. President, coming from the State of Montana, more than a third of this Nation's lands are owned by the Federal Government. Most of those are in the western United States. Many of those lands are under the jurisdiction of the Department of the Interior.

This is an extraordinarily important bill for the people of our States. I just want to discuss one aspect of it that is very important for my State of Arizona and other States in the western United States.

We have a very difficult condition in our national forests now. They have been probably—I think it is not too strong a term—''mismanaged'' over the years. It has been a combination of things. It has been the combination of the Forest Service, the Department of Agriculture, the Department of the Interior, the grazing on public lands, the way that fire suppression has taken off, and some other things which have resulted in the condition where, instead of healthy forests of large trees that have great environmental value and value to the other flora and fauna in the forest and which present a relatively safe situation in terms of forest fires, we now have a situation in the West where our forests are literally becoming overgrown.

They are becoming so thick and dense with small-growth trees that:

(A) They are very fire prone.

(B) They are not resistant at all to disease and to insects.

(C) They are not environmentally pleasing at all.

(D) None of the trees grow up to be very large because they are all competing for the moisture and the nutrients in the soil.

The net result is a situation that is very different from that which pertained at the turn of the century when we had very healthy forests of very large trees that were spaced quite a distance apart, with meadows in between, with a lot of good grass that livestock and wild animals could graze on, and which were not prone to forest fire because the fire would work along the ground when it occurred. It would reduce the fuel load on the ground, but it would never get to be the kind of crown fire we have just seen on television that has been experienced in several States in the West, not the least of which is in California.

You get the crown fires when you have a lot of brush on the ground. You have these small, dense trees and many come under the boughs of the great big trees. The fire starts on the ground and goes right up to the crown of the other trees. We have all seen from those television pictures the explosive power of the fires. It is a horrendous situation. It threatens life and limb as well as the destruction of the forest and all that is within it.

We have to find a way to better manage our forests. We have been for some time urging the Department of Agriculture and the Department of the Interior to work on a management program which essentially involves the thinning of these small-diameter trees, leaving the large-diameter trees—leaving the old growth but thinning out the small-diameter trees, and then doing controlled burns to get rid of the fuel load, and after that letting nature take its course.

We have found from experimentation—primarily through Northern Arizona University, Dr. Walley Covington, and others who have done the research and demonstration projects we have funded—that the trees become more healthy. The pitch content of the trees increases significantly. So they are less susceptible to bark beetles and other kinds of insect damage. The grasses grow up underneath the trees as they didn't do before. The protein content of the grasses is significantly higher. So it is much better grazing for the forest animals. In every respect, from an environmental point of view, it is a better situation than that which pertains today.

This takes money because you have to pay to go in and do the thinning. Each one of these projects requires a substantial amount of money.

So far, the research has been done on small plots of land. But according to the General Accounting Office, we have about 25 to 30 years maximum to treat all of our forests or we are going to be into a contagion situation with very little hope of saving these forests. In fact, we have about 39 million acres of national forest lands in the interior West that are at high risk of catastrophic fire, and only this brief period of maybe 25 years to effectively manage these forests.

There are two major impediments to solving the problem. One is agency inertia. It has taken a long time to get the agencies up and running. Secretary Babbitt has been supportive of this concept. There are extremists in the environmental community who want to prevent any management of the forest. Many fine environmental groups are supportive of participation in this program, but there are extremists who file lawsuits to try to prevent any management.

I have asked Forest Service Chief Dombeck to support a dramatic increase in forest restoration. In fact, the Forest Service plans to implement three to four large-scale projects of 100,000 to 300,000-acre size during fiscal year 2000. The fiscal year 2000 budget for the Forest Service called for reducing fuels on only 1.3 million acres, down from 1.5 million planned for 1999.

The GAO estimates a very substantial increase in funding will be necessary, probably up to $725 million annually, in order to adequately address this problem. I strongly support increased restoration funding for this fuels reduction program, including the Forest Service new line-item request for the forest ecosystem restoration improvement fund. This will be used to support forest restoration projects where current funding is not available or feasible, particularly in a situation where the materials are available to be cut have no commercial value.

I plan to continue my efforts to support this. I know the Senator from Wyoming is strongly supportive of managing our national forests—both the forests under the jurisdiction of the Department of Agriculture and the Department of Interior—in a very sensible fashion. We are just now starting this. It has taken a few years to get consent on the right way to do this. We have a lot more funding to provide. We need much more agency support for this forest restoration if we are going to save the national forests of this great country.

I think this is very important not only for the people in the West but throughout the country. I think it deserves our attention and our priority.

I appreciate the opportunity for discussion this morning, and I thank the Senator from Wyoming for reserving time to talk about these important issues.

Mr. THOMAS. Mr. President, I take this time to talk about the uniqueness of the public lands of the West. It is very clear there are great differences among the States in terms of land management, the kinds of land ownership that exist, and the delivery of health care.

Wyoming is a large State. I think we are the eighth largest State in the United States yet the smallest in population. We have small towns. There are twice as many people in Fairfax County as there are in the State of Wyoming. The point I make is ''one size fits all'' in many areas of operation does not work effectively in delivering services. I think that is especially true when we start talking about the management of resources and the management of lands.

This chart shows the Federal land holdings by State. The color brown represents almost all New England States with less than 1 percent of their total land surface held by the Federal Government. Blue represents States with 1 percent to 5 percent, including much of the South and the Midwest. Five to 10 percent are the purple-colored States. In the West, the yellow-colored States have up to 65 percent of the State's surface belonging to the Federal Government. It is a unique proposition. Furthermore, there are States in green that go beyond that. This map shows almost 83 percent of Nevada—actually I think it is probably 87 percent of Nevada's surface—belonging to the Federal Government. The same is true in Alaska.

There is a great deal of difference in how we do this. The lands belong to everyone. The economy of the States depends on Federal decisions that are made, including the jobs for everyone who lives there. Local county governments take care of all services transpiring on Federal lands.

Let me show you an enlarged map of Wyoming. This map gives you an idea of the amount of land in Wyoming belonging to the Federal Government or public lands. This is an Indian reservation. Purple represents national parks. We are very proud of them. The green represents U.S. forest reserves. The interspersed yellow represents land managed by the Bureau of Land Management. Where the railroads went through in the early years are checkerboard lands, with every other section being owned by the Federal Government. There are control and access problems for all of these areas.

We depend highly upon the dollars made available through the Interior appropriations. We have had much involvement with the decisions made by the land management agencies in these areas, whether it be BLM or others. I want to emphasize how important it is to talk about some of these important issues.

For example, these lands are basic lands. BLM lands were largely residual that remained after the Homestead Act expired. They generally are lands in the plains of our State. The homesteaders came in along the rivers and creeks, taking the most productive lands. The other lands remain managed by the BLM. To remain an agricultural unit it is always necessary to have the productive lands and the other lands for grazing. We use them for multiple use.

Everyone in Wyoming wants to use the lands for wildlife, for the preservation of wildlife, hunting, hiking. Indeed, they can be used together. It is sometimes difficult to find agreement. Multiple use, whether for mineral production or not—all the lands yield minerals; mostly oil, trona, soda ash or coal; Wyoming is the largest producer of coal in the country which most people don't realize—is income for the State and the Federal Government with their royalties.

We have currently and in this bill we will talk about funding for the Fish and Wildlife Service which manages the Endangered Species Act. This is a very difficult area. Everyone wants to preserve critters, animals, and plants that are endangered. At the same time, there are some questions when we have an animal in some danger. First, the grizzly bears or wolves; now we have the Preble's Meadow jumping mouse listed as endangered. It becomes almost a threat to the private land owners who are restricted from using their lands as they desire because of the potential threat of endangerment.

These are the issues we deal with. We deal with PILT payments, payments in lieu of taxes. Fifty percent of the State belongs to the Federal Government. There are no taxes as in private lands. In this bill, there is funding for PILT payments. We will have an amendment to raise it.

The counties provide hospital service, the counties provide policing, the counties provide all the services to these lands but have received no revenue as the case would be if they had

been private lands. These are the things with which we deal.

Much of this supports grazing. Ranchers in Wyoming have permits. They pay so much per animal unit for grazing. We have a problem now because the Forest Service or the BLM has not done a NEPA study for permit renewal. Unfortunately, they have not been able to complete the NEPA studies. Now we are faced with the question: Does the grazing lease expire because there has not been a study?

There will be an amendment that says you can go ahead and extend the grazing lease and let the BLM go ahead and make the study; it doesn't preclude the study. The study will still be made, but it allows the grazing to continue because it is no fault of the grazer the study has not been made.

The Senator from Arizona talked about forests and forest management. Obviously, in many cases there is some kind of harvesting of mature timber. If it is not harvested and managed in the way you take it out, then it burns.

I just came back from spending several days in Yellowstone Park where we had a gigantic fire in the late eighties. It is discouraging to see how long it takes to reforest an area of that kind.

We are dealing again in this bill with financing what is called the clean water action plan which has to do with nonpoint source water controls. One hundred eleven ideas, put forth by EPA to do some things like that, frankly, are going to be extremely difficult and will have much to do with the utilization and multiple use of these lands because you have to have the water to do that.

We talk about droughts in the East. Frankly, this kind of area does not get as much rainfall in a normal year as we did in a drought. This is 14 inches per year. The water, the runoff, and the irrigation are a very real part of it.

We are going to move into this area this afternoon. I am very pleased with what has been done. The Senator from Washington has put together a bill which I think has great merit. We are trying to do some things that will make it more workable in terms of oil royalties, grazing fees, and some of the other things that do become controversial.

I urge people to take a look at the situation, even though they do not live here, and try to understand why some of these things need to be handled a little bit differently because of the situation we have in the West.

I thank the Chair for the opportunity to talk about this bill. I believe we have used our time, or very close to it. I yield back the time if we have not.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I thank the Chair.

(The remarks of Mr. FEINGOLD and Mr. REED pertaining to the introduction of S. 1568 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

There being no objection, the Senate, at 1:19 p.m. recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ENZI).

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the hour of 2:15 p.m. having arrived, the Senate will now go into executive session to consider Executive Calendar orders numbered 173 and 175.

The nominations will be stated.

THE JUDICIARY

The legislative clerk read the nominations of Adalberto Jose Jordan, of Florida, to be United States District Judge for the Southern District of Florida, and Marsha J. Pechman, of Washington, to be United States District Judge for the Western District of Washington.

The Senate proceeded to consider the nominations.

The PRESIDING OFFICER. Under the previous order, there will be 5 minutes of debate equally divided.

Who seeks time?

The Chair recognizes the Senator from Washington.

Mr. GORTON. Mr. President, I would like to express my enthusiastic support for the nomination of Judge Marsha J. Pechman to serve on the United States District Court for the Western District of Washington.

Ms. Pechman was chosen by a selection committee jointly appointed by my colleague, Senator MURRAY, and myself, and was jointly recommended by the two Senators from the State of Washington to President Clinton. The President has therefore engaged fully in the normal advice and consent process for choosing Federal judges for this vitally important lifetime position.

Judge Pechman has significant judicial experience. She has served as a superior court judge in King County, Washington, for a period of 11 years, handling a wide range of cases, taking an active role in improving the administration of justice, and instructing and teaching other judges and lawyers. Before becoming a judge, Marsha Pechman worked as a deputy prosecuting attorney in King County and was later made a partner in a significant, major law firm in the city of Seattle.

I ask my colleagues to join with my colleague from the State of Washington and myself in approving a first-rate nomination on the part of the President, Judge Marsha Pechman, to serve as United States District Court Judge for the Western District of Washington.

The PRESIDING OFFICER. The Chair recognizes the Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the Republican leadership for allowing the Senate to consider and confirm two more outstanding judicial nominations today. Marsha Pechman and Adalberto Jose Jordan had confirmation hearings on July 13. They were favorably reported by the Judiciary Committee long before the August recess.

I regret that they were not confirmed at that time along with the other 11 judicial nominees on the Senate calendar who are still awaiting Senate action. With these confirmations today—and I predict they will be confirmed—the Senate will finally have confirmed more than a dozen judges this year. By comparison, last year at this time the Senate had confirmed 39 judges, not just 13; by this time in 1994, the Senate had confirmed 58 judges, not just 13.

In the past I have challenged the Senate to try to keep up with Sammy Sosa's home run pace. He has 58 home runs so far this year. We are behind not just his home run pace but the home run pace set by National League pitchers.

The Senate has ready for action the nominations of Marsha Berzon to the Ninth Circuit, Justice Ronnie White to the District Court in Missouri, and many other qualified nominees.

The current nomination delayed the longest is that of Judge Richard Paez. He has been held up for over 3½ years, yet can anybody on this floor state with confidence that if he were allowed to have a rollcall vote, he would not be confirmed. The Judiciary Committee twice reported the nomination favorably. If we were honest and decent enough in the Senate to allow this man to come to a vote after 3½ years, he would be confirmed. It is a scandal, a shame on the Senate that we do not confirm this nominee.

His treatment recalls the criticism the Chief Justice of the United States, William Rehnquist, has made of the Senate. He pointed out that after a period for review nominations should be voted up or voted down. He pointed out that too many nominations were being held up too long. The nomination of Judge Richard Paez is currently Exhibit A.

We are not doing our job. We are not being responsible. We are being dishonest, condescending, and arrogant toward the judiciary. It deserves better and the American people deserve better.

We have less than 8 weeks in which the Senate is scheduled to be in session the remainder of the year. We have our