

Mr. DASCHLE. Mr. President, I thank the majority leader. We recognize and applaud the desire of a number of groups and organizations in this country to take the proceeds from this non-renewable resource and reinvest a portion of these outer continental shelf revenues in the conservation and enhancement of our renewable resources.

When the Land and Water Conservation Fund was created more than thirty years ago, the intention was for revenues from off-shore oil and gas drilling to be deposited into the fund, allowing federal and state governments to protect green space, improve wildlife habitat and purchase lands for conservation purposes.

In my state of South Dakota this program has been particularly beneficial, helping local and state governments to purchase park lands and develop facilities in municipal and state parks throughout the state.

Unfortunately, the Land and Water Conservation Fund has rarely received adequate funding.

Congress has the opportunity this year to pass legislation that would finally ensure consistent funding for the Land and Water Conservation Fund and provide a permanent stream of revenue for conservation.

We applaud the efforts of the Senate Committee on Energy and Natural Resources as well as the House Committee on Natural Resources for conducting the process thus far in a fair and bi-partisan manner.

We encourage these committees to continue their progress so that Congress as a whole can debate and pass what may well be the most significant conservation effort of the century.

ORDER OF PROCEDURE

Several Senators addressed the Chair.

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

Mr. HATCH. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN. Mr. President, I may object. I have been standing here about 45 minutes waiting to speak. I thought we were going to go back and forth across the aisle. I want to speak on the bill, not as in morning business. Since I like the Senator from Utah so much, I will not object. I wanted to make my point.

The PRESIDING OFFICER. Is the Senator from Iowa requesting time to speak?

Mr. HARKIN. I did not hear the request.

The PRESIDING OFFICER. Is the Senator from Iowa requesting, as part of the unanimous consent request, an opportunity to speak?

Mr. HARKIN. If I can follow the Senator from Utah for 10 minutes, yes, I request to speak.

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

Mr. HATCH. Mr. President, I thank my colleague, and I apologize. I did not realize he had been standing here all this time.

NOMINATION OF TED STEWART TO BE DISTRICT JUDGE FOR THE DISTRICT OF UTAH

Mr. HATCH. Mr. President, it is a great pleasure for me to support the confirmation of a judicial candidate who is the epitome of good character, broad experience, and a judicious temperament.

First, however, I think it appropriate that I spend a moment to acknowledge the minority for relenting in what I consider to have been an ill-conceived gambit to politicize the judicial confirmations process. My colleagues appear to have made history on September 21 by preventing the invocation of cloture for the first time ever on a district judge's nomination.

This was—and still is—gravely disappointing to me. In a body whose best moments have been those in which statesmanship triumphs over partisanship, this unfortunate statistic does not make for a proud legacy.

My colleagues, who were motivated by the legitimate goal of gaining votes on two particular nominees, pursued a short-term offensive which failed to accomplish their objective and risked long-term peril for the nation's judiciary. There now exists on the books a fresh precedent to filibuster judicial nominees with which either political party disagrees.

I have always, and consistently, taken the position that the Senate must address the qualifications of a judicial nominee by a majority vote, and that the 41 votes necessary to defeat cloture are no substitute for the democratic and constitutional principles that underlie this body's majoritarian premise for confirmation to our Federal judiciary.

But now the Senate is moving forward with the nomination of Ted Stewart. I think some of my colleagues realized they had erred in drawing lines in the sand, and that their position threatened to do lasting damage to the Senate's confirmation process, the integrity of the institution, and, of course, the judicial branch of Government.

The record of the Judiciary Committee in processing nominees is a good one. I believe the Senate realized that the Committee will continue to hold hearings on those judicial nominees who are qualified, have appropriate judicial temperament, and who respect the rule of law. I had assured my colleagues of this before we reached

this temporary impasse and I reiterate this commitment today.

This is not a time for partisan declarations of victory, but I am pleased that my colleagues revisited their decision to hold up the nomination. We are proceeding with a vote on the merits on Ted Stewart's nomination, and we will then proceed upon an arranged schedule to vote on other nominees in precisely the way that was proposed prior to the filibuster vote.

Ultimately, it is my hope for us, as an institution, that instead of signaling a trend, the last 2 weeks will instead look more like an aberration that was quickly corrected. I look forward to moving ahead to perform our constitutional obligation of providing advice and consent to the President's judicial nominees.

And now, I would like to turn our attention to the merits of Ted Stewart's nomination. I have known Ted Stewart for many years. I have long respected his integrity, his commitment to public service, and his judgment. And I am pleased that President Clinton saw fit to nominate this fine man for a seat on the United States District Court for the District of Utah.

Mr. Stewart received his law degree from the University of Utah School of Law and his undergraduate degree from Utah State University. He worked as a practicing lawyer in Salt Lake City for 6 years. And he served as trial counsel with the Judge Advocate General in the Utah National Guard.

In 1981, Mr. Stewart came to Washington to work with Congressman JIM HANSEN. His practical legal experience served him well on Capitol Hill, where he was intimately involved in the drafting of legislation.

Mr. Stewart's outstanding record in private practice and in the Legislative Branch earned him an appointment to the Utah Public Service Commission in 1985. For 7 years, he served in a quasi-judicial capacity on the Commission, conducting hearings, receiving evidence, and rendering decisions with findings of fact and conclusions of law.

Mr. Stewart then brought his experience as a practicing lawyer, as a legislative aide, and as a quasi-judicial officer, to the executive branch in State government. Beginning in 1992, he served as Executive Director of the Utah Departments of Commerce and Natural Resources. And since 1998, Mr. Stewart has served as the chief of staff of Governor Mike Leavitt.

Throughout Mr. Stewart's career, in private practice, in the legislative branch, in the executive branch, and as a quasi-judicial officer, he has earned the respect of those who have worked for him, those who have worked with him, and those who were affected by his decisions. And a large number of people from all walks of life and both sides of the political aisle have written letters supporting Mr. Stewart's nomination.