

Environmental policy is at a crossroads, Mr. President. We have a historic opportunity to improve our environmental laws so that they better serve the American people. That is not to say that we have failed in the past. We have many, many, many successes, including the Merrimack River in my State, which is now beginning to see fish and recreation again. It should not be controversial. We all live on this planet, and we should be working together on this. If there is anything we ought not to be partisan about, it ought to be the environment.

I will close on this point. This week, as Earth Day commences, the Senate Environment and Public Works Committee begins hearings on a Superfund bill. During the Earth Day festivities, Americans will be presented with a number of conflicting images of what is good for the environment and what is not. It is my hope that the President and Members of Congress, as I said earlier, will rise above the urge to exploit this event for short-term political gain and join our efforts to inject common sense and fairness into the Nation's Superfund Program, which is the one program which I happen to be involved in because I chair the subcommittee.

So, Mr. President, at this point, I yield the floor and thank my colleagues, and I thank the Senator from Georgia for the opportunity to speak on this very important issue.

Mr. COVERDELL. How much time remains, Mr. President?

The PRESIDING OFFICER. One minute remains.

Mr. COVERDELL. I thank all of the Senators who came to the floor to honor Earth Day and to talk in very meaningful terms about how to manage our environment. This legislation, wherever it falls in the environment, should be guided by a working relationship between the Government and the stewards of the land. In too many cases, recently, we are seeing the Government taking on the form of arrogance. We have threatened the constitutional rights of personal property. That is a very high law, the Constitution. If it becomes public policy to take interests of private property owners, the public will have to assume the responsibility for that. That has to be a working partnership. We have to protect our constitutional rights. We must learn to work together on this legislation. We have heard words like partnership, balance, working together, common ground, nonpartisan. This is the answer to our modern environment.

I appreciate the Senate's time this afternoon, and I yield back whatever seconds are remaining.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, is leader time reserved?

The PRESIDING OFFICER. The leader time has been reserved.

Mr. DOLE. Mr. President, first, I thank the distinguished Senator from

Georgia for his efforts this morning on Earth Day and on the environment. I will be making a statement later on that.

I thank Senator SMITH for his efforts on Superfund. He has been working on this, I know, month after month after month, and we have been trying to come together with a bipartisan bill. Hopefully, that will be accomplished and we can pass Superfund legislation in the next 30 to 60 days.

NOMINATION OF CHARLES STACK TO ELEVENTH CIRCUIT COURT OF APPEALS

Mr. DOLE. Last Friday, I outlined some of my views on the issue of judicial nominations, one of the most lasting legacies of any President. I said that Federal judges should respect the clear language of the Constitution as it is written; that judges should understand that society is not to blame for crime, criminals are; that judges should protect the rights of crime victims, not invent new and more expansive rights for criminal defendants.

Today, let me make another point: Those who seek to sit on the Federal bench should be well-grounded in the basics of constitutional law. Unfortunately, Charles "Bud" Stack, one of President Clinton's nominees to the Eleventh Circuit Court of Appeals, does not meet this standard.

During his recent confirmation hearing, Mr. Stack was unable to cite any fourth amendment case concerning the law of search and seizure. He demonstrated little knowledge about Supreme Court precedent on capital punishment. And despite the Supreme Court's highly publicized decision in the Adarand case, Mr. Stack was unable to discuss any Supreme Court or Federal case concerning discrimination or affirmative action.

When asked how he would remedy his own ignorance of key aspects of the law, Mr. Stack said he "Could attend some courses" or ask other judges for help.

Yet Mr. Stack has been nominated to sit on one of the Nation's most influential judicial panels, the court that effectively serves as the court of last resort for the citizens of Florida, Georgia, and Alabama.

Apparently, Mr. Stack's most important qualification is his prowess as a political fundraiser. According to news reports, administration aides had discussed offering Mr. Stack an ambassadorship and a seat on the Federal district court as a reward for his fundraising efforts, but that Mr. Stack had his heart set on a court of appeals position.

Mr. President, I understand that Mr. Stack raised millions and millions of dollars for President Clinton and the Democratic Party, but does that qualify him to be on the next highest court in the land? I do not think so. That is not what the judicial system is all about.

Mr. President, I understand that the American Bar Association has given Mr. Stack a qualified rating, but in my judgment, this rating is yet another example of why we should not rely on the ABA to review the qualifications of our judicial nominees.

Although I do not know Mr. Stack personally, I have no reason to challenge his integrity. I am sure he is a fine man who has contributed much to his community and to his country. But that is not the point. The question we must ask is whether Mr. Stack is, in fact, qualified to sit on the Eleventh Circuit Court of Appeals, the second highest court in the land? The answer, or course, is, "No." President Clinton should withdraw the Stack nomination without delay.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

NO MORE GAMES—RAISE THE MINIMUM WAGE

Mr. KENNEDY. Mr. President, I know that under the rule we will move very swiftly to the term limit legislation, but I would like to speak before that debate starts on another matter which, although not directly before the Senate today, is very much in the thinking of Members of the Senate and the House of Representatives, certainly the President and, most importantly, working families and needy working families, and that is the issue of the increase in the minimum wage.

On "Face the Nation" yesterday, Senator DOLE was asked whether he would allow a straight up or down vote on the minimum wage. Senator DOLE said, "No, our view is that it needs to be packaged with other things—maybe comp time, flex time."

Let me be very clear in response. There is no reason to delay or saddle the minimum wage with other controversial measures. I intend to offer a clean vote on increasing the minimum wage on the nuclear waste bill or any other bill this week or next week that is open to amendments. There is no excuse for further delay in raising the minimum wage.

Raising the minimum wage is a matter of basic economics, not politics, for millions of American families. More than 10 million people will receive a direct pay increase if the minimum wage is raised to \$5.15 or \$5.25 an hour. To those millions of working Americans, the issue is not politics. It's paying the rent and putting food on the table for themselves and their families.

An overwhelming majority of Americans want the minimum wage increased. They do not want to see this legislation buried in procedural maneuvers, or loaded up with antiunion amendments. They want to see it increased, and increased now.

Yet, ignoring the clear interest of low-wage workers and the desire of an overwhelming majority of the American people, Senator DOLE intends to