legislation early next year that provides meaningful and much-needed reform to the bankruptcy system. Rampant bankruptcy is a crisis that we could have maybe done a little bit better in the last Congress. I think many of the things we were working on we could not get that completed.

We have the FAA reauthorization bill that good work has been done on, and a series of bills, including the juvenile justice bill, which we hope we can get early in the session next year. So we will continue to work on that.

I understand we are about ready to do a series of energy bills. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The Clerk will call the roll.

Mr. LOTT. Mr. President, we have cleared a number of nominations on the Executive Calendar. I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Nos. 228, 273, 292, 326, 327, 329, 331, 332, 333, 366, 377, 384, 404, 405, 406, and all nominations in the Coast Guard on the Secretary's desk.

I further ask consent that the HELP Committee be discharged from further consideration of the following nominations, and the Senate proceed to their consideration, en bloc: Magdalena Jacobsen, Francis Duggan, Ernest DuBester, and John Truesdale.

I further ask consent that the nominations be considered and confirmed en bloc are as follows:

DEPARTMENT OF ENERGY
Ivan Itkin, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, Energy.

DEPARTMENT OF THE TREASURY
Neal S. Wolin, of Illinois, to be General Counsel for the Department of the Treasury.

THE JUDICIARY
Richard Blum, of Virginia, to be United States Circuit Judge for the Federal Circuit.

UNITED STATES INSTITUTE OF PEACE
Stephen Hadley, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2001.

Zalmay Khalilzad, of Maryland, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2001.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Paul Steven Miller, of California, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2004. (Reappointment)

DEPARTMENT OF LABOR
Irasema Garza, of Maryland, to be Director of the Women's Bureau, Department of Labor.

T. Michael Kerr, of the District of Columbia, to be Administrator of the Wage and Hour Division, Department of Labor.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
Anthony Musick, of Virginia, to be Chief Financial Officer, Corporation for National and Community Service.

DEPARTMENT OF STATE
Alan Philip Larson, of Iowa, to be Under Secretary of State (Economic, Business and Agricultural Affairs).

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
Joseph R. Crapa, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Susan M. Wachter, of Pennsylvania, to be an Assistant Secretary of Housing and Urban Development.

DEPARTMENT OF COMMERCE
Linda J. Bilmes, of California, to be an Assistant Secretary of Commerce.

UNITED STATES INTERNATIONAL TRADE COMMISSION
Deanna Tanner Okun, of Idaho, to be a Member of the United States International Trade Commission for a term expiring June 16, 2003.

NOMINATIONS PLACED ON THE SECRETARY’S DESK IN THE COAST GUARD
Coast Guard nomination of Richard B. Gaines, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of October 12, 1999.

Coast Guard nominations beginning Peter K. Oittinen, and ending Joseph P. Sarpent, Jr., which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of October 27, 1999.

NATIONAL LABOR RELATIONS BOARD
John C. Truesdale, of Maryland, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2003.

NATIONAL MEDIATION BOARD
Magdalena G. Jacobsen, of Oregon, to be a Member of the National Mediation Board for a term expiring July 1, 2002.

Francis J. Duggan, of Pennsylvania, to be a Member of the National Mediation Board for a term expiring July 1, 2002.

Ernest W. DuBester, of New Jersey, to be a Member of the National Mediation Board for a term expiring July 1, 2002.

DEPARTMENT OF THE INTERIOR
Ivan Itkin, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, Energy.
Deanna does and the charm she brings respect and admiration for the work one of those staff people have universal staffers in the leadership and on many of the most difficult and tough Senate my staff, she has had to deal with some job done. She always gets the professionalism. She never loses her laboratories—Deanna never loses her a hearing on spying at U.S. weapons working under the time constraints of most important, I believe the primary reason Deanna’s confirmation has gone so smoothly is because of the universal admiration and respect that Senators and professional staff hold for her. Deanna is simply a consummate professional and I know that the Senate’s loss will be offset by the tremendous gain that is being achieved today by the ITC. today. I know the Commission will never be the same once Deanna is sworn in.

Mr. President, I have been privileged to have worked with Deanna for more than five years. I cannot imagine any one who is more qualified to become a Commissioner on the International Trade Commission. Not only is Deanna remarkably bright, she is one of the most thorough and conscientious individuals I have ever met. She is fully versed in all aspects of international trade matters and an expert on U.S. foreign policy issues. No one can doubt her intellectual and professional competence to serve as a Commissioner.

Mr. President, I want to repeat some of my prepared remarks for Deanna’s confirmation hearing.

But I want to tell the United States Senate a little about Deanna, the person. She is a delightful and charming individual who, no matter what the pressures—whether negotiating in a markup of a trade bill or working under the time constraints of a hearing on spying at U.S. weapons laboratories—Deanna never loses her professionalism. She always gets the job done.

In the years that she has worked on my staff, she has had to deal with some of the most difficult and tough Senate staffers in the leadership and on many committees. I know that every single one of those staff people have universal respect and admiration for the work Deanna does and the charm she brings to the job. That is a singular feat that few other Senate staffers can claim.

Finally, Mr. President, I would note that this year Deanna changed her work schedule from five days a week to four days a week. She did this because she wanted to spend more time raising her two beautiful daughters, Kelsi and Rachel. I can unhesitatingly tell you that in those four days at work, she produces what other staffers could maybe produce in five, more likely six days. She is truly remarkable as a mother and as a professional staff. She is a stellar person and I know that her husband Bob and her parents take great pride in her confirmation.

It is difficult to lose Deanna after all these years. I will miss her, but I know that the world trade community will greatly benefit from her appointment to the Commission.

Thank you, Mr. President and to Deanna, I wish you the best of success in your new position.

Mr. LEAHY addressed the Chair.

"The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. I did not want to speak until that was done. I thank the distinguished majority leader and the distinguished Democratic leader. Both of them are dear friends of mine with whom I have served for many, many years.

I thank them for their consideration, especially of Calendar No. 292. That is not simply a number on the calendar. It represents a very real person. Richard Linn is an extraordinary man, extraordinary husband, extraordinary father, and wonderful bather. He will do a great job and be an outstanding judge. I thank both leaders for their help and their consideration.

Mr. HATCH. Mr. President, I rise today to report on the success that the Senate has enjoyed this session in performing its constitutional advice and consent duties with respect to judicial nominees. The Judiciary Committee and the Senate have maintained a low vacancy rate in the federal judiciary, reached an agreement to have votes on certain confirmable nominees, and maintained a fair and principled confirmation process.

At the end of the last Congress, the Judiciary Committee and the Senate had reduced the number of vacancies in the federal Judiciary to 50—the lowest vacancy level since the expansion of the Judiciary in 1990. Indeed, in his January 1999 report on the state of the federal Judiciary, Chief Justice Rehnquist applauded the work of the Senate in bringing the vacancy number to such a low level, stating: “I am pleased to report on the progress made in 1998 by the Senate and the President in the appointment and confirmation of judges to the federal bench. . .”

This session, despite partisan rhetoric, the Senate has maintained a low vacancy rate. The Judiciary Committee reported 42 judicial nominees, and the full Senate confirmed 34 of these—a number comparable to the average of 20 confirmations for the first sessions of the last 5 Congresses when vacancy rates were generally much higher. In total, the Senate has confirmed 338 of President Clinton’s judicial nominees since he took office in 1993.

In addition, the Committee reported 22 Executive Branch nominees to the Senate floor this Session. The Senate has confirmed all of these nominees, bringing the total number of confirmations for President Clinton’s non-judicial nominees for which the Committee has jurisdiction to 277 since 1993.

After all of these confirmations, we have reduced the number of judicial vacancies to 56—very close to the lowest number of vacancies since the expansion of the Judiciary in 1990. Indeed, the number of vacancies at the end of this Session of Congress is 7 less than the 63 vacancies that existed when Congress adjourned in 1994 when Bill Clinton was President and the Democrats controlled the Judiciary Committee. Moreover, we were able to create 9 new district court judgeships for a few districts in which the caseloads are very high.

In addition, the Committee reported two controversial nominees—Marsha Berzon and Richard Faes—to the Senate this Session. And Senator Lott worked in a bipartisan manner with Senator DASCHEL to reach an agreement to vote on these controversial nominees and other nominees by March 15, 2000.

A controversial nominee will, of course, move more slowly than other nominees because it takes longer to garner a consensus to support such a nominee. And, depending on the nature of the controversy, the Committee may have to conduct an even more exacting examination of that individual and respect for the rule of law. Nonetheless, a controversial nominee will be treated with the utmost respect and fairness. The more controversial a nominee, however, the more crucial the support of the nominee’s home state senators and home state grass roots organizations.

It was deeply disturbing that earlier this year some implied or expressly alleged that the Senate’s treatment of certain nominees differed based on their race or gender. Indeed, a so-called independent group claimed that the Senate treated female and minorities nominees less favorably than white male nominees.

After a flurry of rhetoric, however, the facts began to surface. First, the independent organizations for Independent Committees—was discovered to have prepared its report with the assistance of the Democratic, but not Republican, Judiciary Committee staff.
CONGRESSIONAL RECORD—SENATE

November 19, 1999

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business, permitted to speak for up to 10 minutes each.

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

SHARED APPRECIATION AGREEMENTS

Mr. BURNS. Mr. President, shared appreciation agreements have the potential to cause hundreds of farm foreclosures across the nation, and especially in my home state of Montana. Ten years ago, a large number of farmers signed these agreements. At that time they were under the impression that they would be required to pay back a value twice the amount they originally wrote down. Especially in light of the current market situation, I believe something must be done about the way these appraisals are conducted.

USDA is attempting to fix the problem with proposed rules and regulations but farmers need help with these agreements now. The USDA has published several regulations addressing the issue but the comment period will further drag out the process. I am fearful that in the meantime more farmers will be forced into foreclosure.

My bill mandates by legislation these important regulations. It will exclude capital investments from the increase in appreciation and allow farmers to take out a loan at the “Homestead Rate,” which is the government’s cost of borrowing.

Farmers should not be penalized for attempting to better their operations. Nor can they be expected to delay capital improvements so that they will not be penalized. It will be necessary for most of these agricultural producers to take out an additional loan during these hard times. It is important that the interest rate on that loan will accommodate their needs. The governments current cost of borrowing equals about 6.25 percent, far less than the original 9 percent farmers and ranches were paying.

I look forward to working with members in other states to alleviate the financial burdens imposed by shared appreciation agreements. I hope that we may move this through the legislative process quickly to provide help as soon as possible to our farmers.