Second, a close review of the report revealed that for noncontroversial nominees who were confirmed, there was little difference between the process of confirmation for minority nominees and nonminority nominees in 1997 and 1998. Only when the President appointed a controversial female or minority nominee who was not confirmed did a discrepancy arise. Third, in 1993 and 1997, when George Bush was President, the Democratically controlled Senate confirmed female and minority nominees at a far slower pace than white male nominees. Fourth, this year, over 50% of the nominees that the Judiciary Committee reported to the full Senate have been women and minorities. Finally, even the Democratic former chairman of the Judiciary Committee, Senator Joe Biden, stated publicly that the process by which the committee, under my chairmanship, examines and approves judicial nominees “has not a single thing to do with gender or race.”

As chairman of the Judiciary Committee, I take the constitutional duties of advice and consent and the responsibility for maintaining the institutional dignity of the Senate very seriously. Although the President has occasionally nominated controversial candidates, under my tenure as chairman, not one nominee has suffered a public attack on his, or her, character by this committee. Not one nominee has had his, or her, confidential background information leaked to the public by a member of this committee. And not one nominee has been examined for anything other than his, or her, integrity, competence, temperament, and respect for the rule of law.

The Senate has conducted the confirmations process in a fair and principled manner. Under my chairmanship, the process has worked well. As the first session of the 106th Congress comes to an end, the federal Judiciary is once again sufficiently staffed to perform its function under Article III of the Constitution. Senator Lott, and the Senate as a whole, are to be commended.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

UNANIMOUS-CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. Lott. Mr. President, as in executive session, I ask unanimous consent that all nominations received by the Senate during the 106th Congress, first session, remain in status quo, notwithstanding the November 19, 1999 adjournment of the Senate, and that the provisions of rule XXXI, paragraph 6 of the standing rules of the Senate, apply.

Mr. Lott. Mr. President, under my tenure as chairman, a far slower pace than white male nominees. Fourth, this year, over 50% of the nominees that the Judiciary Committee reported to the full Senate have been women and minorities. Finally, even the Democratic former chairman of the Judiciary Committee, Senator Joe Biden, stated publicly that the process by which the committee, under my chairmanship, examines and approves judicial nominees “has not a single thing to do with gender or race.”

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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.

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 this amount twice the value of their homestead, at a reasonable rate of redemption.

However, that has not proved to be the case. The appraisals being conducted by the Farm Service Agency are showing increased values of ridiculous proportions. By all standards, one would expect the value to have decreased. Farm prices are the lowest they have been in years, and there does not seem to be a quick recovery forthcoming. Farmers cannot possibly be expected 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.

Farms 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.