

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 Paez—to the Senate floor this Session. And Senator LOTT worked in a bipartisan manner with Senator DASCHLE 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 nominee's credentials 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 so-called independent group—Citizens for Independent Courts—was discovered to have prepared its report with the assistance of the Democratic, but not Republican, Judiciary Committee staff. Second, a close review of the report revealed that for noncontroversial nominees who were confirmed, there was little if any difference between the timing 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 disparity arise. Third, in 1991 and 1992, 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. Fi-

nally, 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, and 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 not 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 the provisions of rule XXXI, paragraph 6 of the standing rules of the Senate.

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

#### MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators 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 these back at the end of ten years, 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.

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 government's current cost of borrowing equals about 6.25 percent, far less than the original 9 percent farmers and ranchers 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.

#### TWENTY-FIRST CENTURY RESEARCH LABORATORIES ACT

Mr. KENNEDY. Mr. President, biomedical research is making great strides in providing new treatments for a wide range of diseases. Thousands of talented scientists across the country are making new discoveries about the fundamental mechanisms of health and disease. Yet the talents of these researchers are often undermined by a lack of adequate facilities and equipment to conduct their crucial work.

Numerous authoritative studies have demonstrated that medical research laboratories are critically in need of reconstruction and repair. The National Science Foundation found that

over half the institutions conducting biomedical research in this country suffer from inadequate space for medical research. The Foundation also reported that medical research institutions have had to postpone nearly \$11 billion in renovation and construction projects due to lack of adequate funding. As a result, over a quarter of medical research facilities in the nation are in urgent need of renovation or reconstruction.

The need to revitalize the infrastructure of our research enterprise is recognized throughout the medical community. The Association of American Medical Colleges and the Federation of Societies for Experimental Biology have both issued statements calling on the federal government to provide increased resources for reconstruction and renovation of medical research facilities.

The bill before the Senate today significantly increases our commitment by authorizing a substantial increase in the funds available to the National Institute of Health to provide peer-reviewed grants for laboratory construction and renovation.

Not only have medical research facilities fallen into disrepair, but laboratories frequently lack needed research equipment. Modern medical instruments are increasingly sophisticated. Scientists are gaining new insights into such basic processes as the workings of the brain and the genetic basis of disease. With this increase in sophistication has come an increase in cost. The rising price of medical technology means that scientists must often curtail research programs, because they lack access to sensitive instruments such as MRI scanners or high resolution microscopes.

To address the acute need for sophisticated scientific instruments, the bill before us also provides needed funds for medical researchers to purchase major pieces of scientific equipment. Only by giving medical researchers the equipment they need to use their talents fully can we achieve the scientific breakthroughs necessary to meet our most pressing health needs.

We should not enter the twenty-first century with medical laboratories that lack adequate space, adequate facilities and adequate equipment. We must provide the funding that is urgently needed to construct modern laboratories and give researchers the equipment necessary for their cutting-edge research. I urge my colleagues to join with me in supporting this legislation that is so vital to the health care needs of our nation and I commend my distinguished colleague from Iowa, Senator HARKIN, for his leadership on this and many other critical health care issues.

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**CLINICAL RESEARCH  
ENHANCEMENT ACT OF 1999**

Mr. KENNEDY. Mr. President, biomedical research continues to produce

great advances in our ability to combat deadly diseases, and its promise for the future is vast. For that promise to be fully realized in improvements in people's health, we need a stronger commitment to bring medical discoveries from the laboratory to the bedside. Increased support for clinical research is vital for developing cures and better treatments for disease. Clinical research brings insight into the most effective ways to care for patients. It offers effective ways to reduce both the human and financial costs of disease.

Despite these clear benefits, clinical research faces a worsening crisis. The Institute of Medicine, the National Academy of Sciences and the National Institutes of Health have all concluded that the nation's ability to conduct clinical research has declined significantly in recent years. Passing the bill currently before the Senate will reverse this dangerous decline, by addressing the major factors that have led to the weakening of our nation's ability to conduct clinical research.

One of these factors is the steep financial barrier than health care professionals encounter when considering a career in clinical research. Burdened with debt from their professional training, clinicians must often forego a research career in order to earn the money necessary to pay back their loans. Our bill will lower the economic barriers to careers in clinical research by providing financial incentives for doctors to conduct patient-research. The bill authorizes the National Institutes of Health to establish a loan repayment program to lessen the debt they must carry if they pursue careers in clinical research. The bill also provides for peer-reviewed grants to support clinical researchers at all stages of their careers.

While the current state of clinical research is cause for great concern, the future of this vital health care field is even more worrying. Many of today's young clinical investigators have inadequate training in the methods of clinical research. Dr. Harold Varmus, Director of the National Institutes of Health, has emphasized the need for clinicians to have access to specialized training in patient-oriented research. This bill will provide grant support for young medical professionals to receive graduate training in such research.

To meet the nation's need for clinical research, it is not enough to increase the number of doctors conducting such research. Clinical researchers must also have the facilities necessary to conduct their lifesaving work. In these days when hospitals are squeezed more and more tightly by financial pressures, there is little room for them to devote scarce resources to clinical research. To address this problem, the bill provides grants to General Clinical Research Centers, now established in 27 states, where health professionals can have access to the vital hospital resources necessary to conduct high quality patient-oriented research.

This measure is supported by more than 70 biomedical associations. I commend the Chairman of our Health Committee, Senator JEFFORDS, for his effective leadership on this legislation. It is vital to the quality of health care in the nation in years ahead, and I urge the Senate to approve it.

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**DEBT RELIEF LEGISLATION**

Mr. SARBANES. Mr. President, I want to note that Congress is taking the first important step toward providing debt relief for the Heavily Indebted Poor Countries (HIPC) Initiative. As co-sponsor, with Senator MACK, of legislation to authorize U.S. participation in this critically important international initiative, I believe that easing the debt burden of the world's poorest countries is one of the most meaningful things we can do to help these nations eradicate poverty and grow their economies on a sustainable basis.

The final version of the Foreign Operations appropriations bill contained enough money and authorizations to permit the HIPC Initiative to go forward, but there is more we have to do in Congress, beginning early next year, to provide the resources necessary to address the debt burden of the countries that are expected to qualify. As ranking member on the authorizing subcommittee in Foreign Relations, I intend to work hard to achieve the necessary additional authorizations there, including the very important one for U.S. contributions to the HIPC Trust Fund. I would like today to engage Senator GRAMM in a colloquy on the commitment I understand he made to the Administration to act on the necessary remaining IMF authorization in the Banking Committee as well.

Mr. GRAMM. I thank the Senator. As you know, we agreed on language that would permit the U.S. to support mobilization of the amount of IMF gold necessary to provide a stream of interest earnings sufficient for IMF participation in the HIPC initiative. However, we agreed that only  $\frac{5}{14}$  of the interest earnings could be used for HIPC debt relief, until such time as Congress authorized the U.S. to vote in favor of using the remaining  $\frac{5}{14}$  of the earnings as well. I committed to the Administration that the Banking Committee would act on this remaining IMF authorization no later than May 1, 2000. It is my hope, of course, that the Foreign Relations Committee could act with similar dispatch.

Mr. SARBANES. Thank you, Senator. I will certainly do everything I can to help you meet your May 1 deadline—in fact, I hope and believe we should be able to act sooner.

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**FINANCIAL SERVICES  
MODERNIZATION ACT**

Mrs. LINCOLN. Mr. President, a week ago today, President Clinton signed S. 900, The Financial Services