

Mr. LEAHY. Mr. President, I am pleased that the Senate is passing legislation to extend family farmer bankruptcy protection through June 30, 2004.

Senator GRASSLEY and I introduced S. 1920 to temporarily extend these protections that our farmers have come to rely upon for another 6 months because Chapter 12 of the Bankruptcy Code is set to expire on January 1, 2004. But this is just a short term fix. We need to stop playing politics and permanently reauthorize the Chapter 12 family farmer protections.

Too many family farmers have been left in legal limbo in bankruptcy courts across the country because Chapter 12 of the Bankruptcy Code is still a temporary measure. This is the seventh time that Congress must act to restore or extend basic bankruptcy safeguards for family farmers because Chapter 12 is still a temporary provision despite its first passage into law in 1986. Our family farmers do not deserve these lapses in bankruptcy law that could mean the difference between foreclosure and farming.

In 2000 and 2001, for example, the Senate, then as now controlled by the other party, failed to take up a House-passed bill to retroactively renew Chapter 12. As a result, family farmers lost Chapter 12 bankruptcy protection for eight months. Another lapse of Chapter 12 lasted more than six months in the previous Congress. At the end of June, Chapter 12 lapsed once again.

It is time to end this absurdity and make these bankruptcy protections permanent. Everyone agrees that Chapter 12 has worked. It is time for Congress to make Chapter 12 a permanent part of the Bankruptcy Code to provide a stable safety net for our Nation's family farmers.

I will continue to work hard with Senator GRASSLEY, Senator FEINGOLD and others on both sides of the aisle to pass legislation that once and for all assures our farmers of permanent bankruptcy protection to keep their farms. In the meantime, we should quickly pass this legislation and prevent another lapse in this basic bankruptcy protection for our family farmers.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the billing be printed in the RECORD.

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

The bill (S. 1920) was read the third time and passed, as follows:

S. 1920

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SIX-MONTH EXTENSION OF PERIOD FOR WHICH CHAPTER 12 OF TITLE 11, UNITED STATES CODE IS REENACTED.

(a) AMENDMENTS.—Section 149 of title I of division C of Public Law 105 09277 (11 U.S.C. 1201 note) is amended—

(1) by striking “January 1, 2004” each place it appears and inserting “July 1, 2004”; and

(2) in subsection (a)—
(A) by striking “June 30, 2003” and inserting “December 31, 2003”; and

(B) by striking “July 1, 2003” and inserting “January 1, 2004”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2004.

IMPROVING THE UNITED STATES CODE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 1437 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1437) to improve the United States Code.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read the third time, and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

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

The bill (H.R. 1437) was read the third time and passed.

AUTHORIZATION FOR MAJORITY LEADER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DURING SENATE'S ADJOURNMENT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that, during the Senate's adjournment, the majority leader be authorized to sign enrolled bills and joint resolutions.

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

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, we have been working this afternoon trying to clear the Executive Calendar, regrettably with little or no success. I had a conversation with the Democratic leader about this just a few moments ago. He can represent his own position. But let me say, from my point of view, what is customarily done at the end of the session is we work out

understandings under which we are able to, for the most part, except for extremely controversial nominees, clear the calendar. But alas, that will not be the case today. It is a result of another round of obstructionism. As we adjourn today, a grand total of 95 nominees will be languishing here on the Executive Calendar awaiting approval. I hoped that entering the holiday season, we would be able to put aside our differences and work together. Instead, the politics seems to have overtaken reason once again.

This level of obstructionism on the other side has reached a really stunning new low. An example of the positions that will be left languishing here, dealing with the national security of this country, is the Deputy Attorney General, the Ambassador to Saudi Arabia, a very important country in the war on terrorism, the Under Secretary of State for Public Diplomacy and the International Trade Commission—all obstructed as we bring this session to an end. From those positions all the way down to such things as members of the African Development Foundation, the U.S. Postal Service, the Chemical Safety and Hazard Investigation Board, even the National Commission on Libraries and Information Science—all obstructed.

On a day when the Senate delivered on a 38-year-old promise to 40 million seniors to provide a prescription drug benefit, we end the day woefully short of our obligations. It is somewhat ironic that two of the victims of obstructionist are nominees to the U.S. Institute of Peace.

I hope we can get serious about doing our work around here. Our work includes, at the very least, confirming nominations that are not controversial. This is disturbing. We have an Executive Calendar full of innocent people who are not caught up in any of the games around here who are being held up at the very least until we come back on December 9. And who knows, maybe until next year and maybe forever, positions from extremely important positions such as the Ambassador to Saudi Arabia all the way down to boards that are arguably not of any great consequence. It is a sad conclusion to the session.

Hopefully, sometime over the next few weeks we can figure out a way to clear these nominations, these people who deserve better treatment by the Senate. We abuse people and abuse people and abuse people. It is a wonder that anyone is willing to enter into public service anymore if they have to go through the confirmation process.

Mr. DASCHLE. Mr. President, I rise to note my disappointment with the impasse over nominations. Earlier this afternoon I made clear to the Republican leadership that the Democratic Caucus was ready to confirm the following nominees today for important ambassadorships around the world:

David C. Mulford to be Ambassador to India, William Hudson to be Ambassador to the Republic of Tunisia, Jon