

Chair be authorized to appoint the following conferees, which I send to the desk.

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

Under the order of March 12, 1998, all after the enacting clause of H.R. 2400 is stricken, and the text of S. 1173, as amended, is inserted in lieu thereof. The bill is read a third time and passed, the Senate insists on its amendment, and requests a conference with the House.

The Presiding Officer (Mr. HUTCHINSON) appointed from the Committee on Environment and Public Works, Mr. CHAFEE, Mr. WARNER, Mr. SMITH of New Hampshire, Mr. KEMPTHORNE, Mr. INHOFE, Mr. THOMAS, Mr. BOND, Mr. HUTCHINSON, Mr. ALLARD, Mr. SESSIONS, Mr. BAUCUS, Mr. MOYNIHAN, Mr. LAUTENBERG, Mr. REID, Mr. GRAHAM, Mr. LIEBERMAN, Mrs. BOXER and Mr. WYDEN; from the Committee of Finance, Mr. ROTH, Mr. GRASSLEY, Mr. HATCH, Mr. BREAUX, and Mr. CONRAD; from the Committee on Banking, Housing and Urban Affairs, Mr. D'AMATO, Mr. GRAMM, Mr. SHELBY, Mr. SARBANES, and Mr. DODD; from the Committee on Commerce, Science and Transportation, Mr. MCCAIN, Mr. STEVENS and Mr. HOLLINGS; from the Committee on the Budget, Mr. DOMENICI, Mr. NICKLES, and Mrs. MURRAY conferees on the part of the Senate.

The PRESIDING OFFICER. S. 1173 is indefinitely postponed.

#### AUTHORIZING APPOINTMENTS DURING ADJOURNMENT

Ms. COLLINS. Mr. President, I ask unanimous consent that not withstanding the adjournment of the Senate, the President of the Senate, the President of the Senate pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Nos. 526, 535, 536, 537, 555, 556, 557, 563, 564, and 565.

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

I ask unanimous consent that the nominations be confirmed en bloc, that the motion to reconsider be laid upon the table, and any statements relating to these nominations appear at this point in the RECORD, and that the President be immediately notified of

the Senate's action, and that the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

#### EXECUTIVE OFFICE OF THE PRESIDENT

Thomas J. Umberg, of California, to be Deputy Director of Supply Reduction, Office of National Drug Control Policy.

#### DEPARTMENT OF LABOR

Richard M. McGahey, of New York, to be an Assistant Secretary of Labor.

#### DEPARTMENT OF COMMERCE

Robert J. Shapiro, of the District of Columbia, to be Under Secretary of Commerce for Economic Affairs.

#### DEPARTMENT OF TRANSPORTATION

John Charles Horsley, of Washington, to be Associate Deputy Secretary of Transportation.

#### THE JUDICIARY

Kermit Lipez, of Maine, to be United States Circuit Judge for the First Circuit.

Robert T. Dawson, of Arkansas, to be United States District Judge for the Western District of Arkansas.

Johnnie B. Rawlinson, of Nevada, to be United States Judge for the District of Nevada.

#### OFFICE OF SPECIAL COUNSEL

Elaine D. Kaplan, of the District of Columbia, to be Special Counsel, Office of Special Counsel, for the term of five years.

#### THE JUDICIARY

Melvin R. Wright, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Ruth Y. Goldway, of California, to be a Commissioner of the Postal Rate Commission for a term expiring November 22, 2002.

#### NOMINATION OF JUDGE KERMIT V. LIPEZ TO THE FIRST CIRCUIT COURT OF APPEALS

Ms. COLLINS. I rise in support of No. 555 on the Executive Calendar, the nomination of Kermit Lipez, of Maine, to the first circuit.

Mr. President, it is an honor and a pleasure to rise to speak in support of the nomination of Justice Kermit Lipez to serve on the First Circuit Court of Appeals.

Having spent the past 12 years as a member of the Maine judiciary, Justice Lipez is a highly respected jurist. With experience at both the trial and appellate court levels, it is fair to say that he has been tested for the position for which he has now been nominated and that he has passed that test with flying colors.

Justice Lipez is universally praised in Maine for his judicial temperament, his sense of fairness, and his intellectual capabilities. His demeanor is consistently that of a gentleman, treating witnesses, jurors, attorneys, and spectators with great respect, and ensuring that others follow his example. He makes the courtroom a far less intimidating place for the average person.

Justice Lipez's reputation for impartiality is reflected in the high regard in which he is held by all segments of the bar. Indeed, people who agree on little else agree on his sense of fairness. He was appointed to the Maine Superior Court by a Democratic Governor, he

was appointed to the Maine Supreme Court by a Republican Governor, and he was recently praised by an Independent Governor. If public trust in our court system hinges on the belief that the courtroom is a place where everyone can expect equal treatment, no one in Maine has done more to promote that perception than Justice Lipez.

The nominee is also a man who combines great intellectual acumen with considerable common sense. He has that rare ability to deal with the most cerebral of issues while keeping his feet planted firmly on the ground. Despite the talent he possesses and the respect he commands, he is a person of humility, an essential trait for someone empowered to sit in judgment of others.

Mr. President, Kermit Lipez's dedication to his profession is beyond question. As a judge's son, he came to the bench with considerable knowledge of the judicial function. Yet, shortly after his appointment to the State Superior Court, he took the unusual step of obtaining a master's degree in judicial process from the University of Virginia School of Law.

Justice Lipez understands not only the powers of a judge but also the limits on those powers. To use his own words, courts exist to resolve "particularized disputes. They do not decide the wisdom of laws. . . . [They] squander their resources and their authority when they try to manage problems or impose solutions beyond their competence and their proper role."

Mr. President, Justice Lipez has excelled in everything he has undertaken—whether as a legislative aide to former Senator Muskie, a private practitioner, a trial judge, or a Justice on Maine's Supreme Judicial Court—and I am confident that he will excel as a member of the First Circuit Court of Appeals.

Senator SNOWE has been a very strong advocate for Justice Kermit Lipez. It was, in fact, Senator SNOWE's husband who appointed Justice Lipez to the court in Maine. I am delighted to be here tonight to speak on behalf of this nomination.

#### IN SUPPORT OF JUSTICE KERMIT LIPEZ

Ms. SNOWE. Mr. President, I rise today to express my strong support of Justice Kermit Lipez's nomination to become a judge on the First Circuit of the U.S. Court of Appeals.

Justice Lipez has many qualifications to recommend him and I want to take a few minutes to touch on them. But before I begin, I want to take this opportunity to thank the Chairman of the Judiciary Committee, Senator HATCH, for all that he has done in getting the Committee to promptly consider Justice Lipez's nomination and bringing us to this vote today. Throughout this process, Senator HATCH has been consistently thoughtful and cooperative, and I want him to know how much I appreciate his invaluable contributions and assistance.

The Senate's action today will be the culmination of an exemplary career on