Hannah as ''the girl with the ponytail who stole my heart.''

The couple were in Tortola in the British Virgin Islands when Hannah McGee got sick. She was flown to a San Juan hospital and died Sunday morning.

''She was the mother, wife, daughter and sister that everyone dreams of—one of the easiest people to love who ever lived,'' Jerry McGee said in a news release Monday.

Hannah McGee is survived by her husband and two adult sons, Ryan and Sam.

Funeral services will be 11 a.m. Wednesday at Wingate Baptist Church and burial will follow at Dockery Family Center in Rockingham. A memorial service also will be March 9 in Austin Auditorium on the Wingate University campus.

JUDICIAL NOMINATIONS IN THE FIRST SESSION OF THE 106TH CONGRESS

Mr. LEAHY. Mr. President, as the Senate belatedly begins this congressional session, I look forward to working with the Democratic Leader, the Majority Leader, Senator HATCH, the Chairman of the Senate Judiciary Committee, and all Senators again this year with respect to fulfilling our constitutional duty regarding judicial nominations.

Last year the Senate confirmed 65 federal judges to the District Courts and Courts of Appeals around the country and to the Court of International Trade. That was 65 of the 91 nominations received for the 115 vacancies the federal judiciary experienced last year.

Together with the 36 judges confirmed in 1997, the total number of article III federal judges confirmed during the last Congress was a 2-year total of 101—the same total that was confirmed in one year when Democrats made up the majority of the Senate in 1994. The 104th Congress (1995–96) had resulted in a 2-year total of only 75 judges being confirmed. By way of contrast, I note that during the last two years of the Bush Administration, even including the presidential election year of 1992, a Democratic Senate confirmed 124 federal judges.

As we begin this year there are 64 current judicial vacancies and seven more on the horizon. In 1983, at the beginning of the 98th Congress there were only 31 vacancies. Even after the creation of 85 new judgeships in 1984, the number of vacancies had been reduced by a Democratic majority in the Senate for a Republican President to only 41 at the start of the 101st Congress in 1989.

After the first Republican Senate in a decade, during the 104th Congress (1995–96), the number of unfilled judicial vacancies increased for the first time in decades without the creation of any new judgeships. Vacancies went from 65 at the start of 1995, to 89 at the start of the 105th Congress in 1997. That is an increase in judicial vacancies of 37 percent without a single new judgeship having been authorized.

We made some progress last year when the Senate confirmed 65 judges. That only got us back to the level of vacancies that existed in 1995. If last year is to represent real progress and a change from the destructive politics of the two preceding years in which the Republican Senate confirmed only 17 and 36 judges, we need to at least duplicate those results again this year. The Senate needs to consider judicial nominations promptly and to confirm without additional delay the many fine men and women President Clinton is sending us.

We start this year already having received 19 judicial nominations. I am confident that many more are following in the days and weeks ahead. Unfortunately, past delays mean that 26 of the current vacancies, over 40 percent, are already judicial emergency vacancies, having been empty for more than 18 months. A dozen of the 19 nominations now pending had been received in years past. Ten are for judicial emergency vacancies. The nomination of Judge Paez to the Ninth Circuit dates back over three years to January 1996. Judge Paez along with three others were reported favorably by the Judiciary Committee to the Senate last Congress but were never considered by the full Senate. I hope that the Senate will confirm all these qualified nominees without further delay.

In addition to the 64 current vacancies and the seven we anticipate, there is also the longstanding request by the Federal judiciary for additional judges who are needed to hear the ever growing caseload in our Federal courts. In his 1998 Year-End Report of the Federal Judiciary, Chief Justice Rehnquist noted: ''The number of cases brought to the federal courts is one of the most serious problems facing them today.'' Criminal cases rose 15 percent in 1998, alone. Yet the Republican Congress has for the past several years simply refused to consider the authorization of the additional judges requested by the Judicial Conference.

In 1984 and in 1990, Congress did respond to requests for needed judicial resources by the Judicial Conference. Indeed, in 1990, a Democratic majority in the Congress created judgeships during a Republican presidential administration.

In 1997, the Judicial Conference of the United States requested that an additional 53 judgeships be authorized around the country. If Congress had passed the Federal Judgeship Act of 1997, S. 678, as it should have, the Federal judiciary would have 115 vacancies today. That is the more accurate measure of the needs of the federal judiciary that have been ignored by the Congress over the past several years.

In order to understand the impact of judicial vacancies, we need only recall that more and more of the vacancies are judicial emergencies that have been left vacant for longer periods of time. Last year the Senate adjourned with 15 nominations for judicial emergency vacancies left pending without action. Ten of the nominations received already this year are for judicial emergency vacancies.

In his 1997 Year-End Report, Chief Justice Rehnquist focused on the problem of ''too few judges and too much work.'' He noted the vacancy crisis and the persistence of scores of judicial emergency vacancies and observed: ''Some current nominees have been waiting a considerable time for a Senate Judiciary Committee vote or a final floor vote.'' He went on to note: ''The Senate is surely under no obligation to confirm any particular nominee, but after the necessary time for inquiry it should vote him up or vote him down.''

During the entire four years of the Bush Administration there were only three judicial nominations that were pending before the Senate for as long as 9 months before being confirmed and none took as long as a year. In 1997 alone there were 10 judicial nominations that took more than 9 months before a final favorably vote and 9 of those 10 extended over a year to a year and one-half. In 1998 another 10 confirmations extended over 9 months: Professor Fletcher's confirmation took 41 months—the longest-pending judicial nomination in the history of the United States—Hilda Tagle's confirmation took 32 months, Susan Oki Mollway's confirmation took 30 months, Ann Aiken's confirmation took 26 months, Margaret McKeown's confirmation took 24 months, Margaret Morrow's confirmation took 21 months, Judge Sonia Sotomayor's confirmation took 15 months, Rebecca Pallmeyer's confirmation took 14 months, Dan Polster's confirmation took 12 months, and Victoria Roberts' confirmation took 11 months.

I calculate that the average number of days for those few lucky nominees who are finally confirmed is continuing to escalate. In 1996, the Republican Senate shattered the record for the average number of days from nomination to confirmation for judicial confirmation. The average rose to a record 183 days. In 1997, the average number of days from nomination to confirmation rose dramatically yet again, and that was during the first year of a presidential term. From initial nomination to confirmation, the average time it took for Senate action on the 36 judges confirmed in 1997 broke the 200-day barrier for the first time in our history. It was 212 days. Unfortunately, that time is still growing and the average is still rising to the detriment of the administration of justice. Last year, in 1998, the Senate broke the record, again. The average time from nomination to confirmation for the 65 judges confirmed in 1998 was over 230 days.

At each step of the process, judicial nominations are being delayed and stalled. Judge Richard Paez, Justice Ronnie L. White, Judge William J. Hibbler and Timothy Dyk were each left on the Senate calendar without action when the Senate adjourned last October. Marsha Berzon, Matthew Kennelly and others were each denied a

vote before the Judiciary Committee following a hearing. Helene N. White, Ronald M. Gould and Barry P. Goode, were among a total of 13 judicial nominees never accorded a hearing last year before the Judiciary Committee.

At the conclusion of the debate on the nomination of Merrick Garland to the United States Court of Appeals for the District of Columbia, as 23 Republicans were preparing to vote against that exceptionally well-qualified nominee whose confirmation had been delayed 18 months, Senator HATCH said ''playing politics with judges is unfair, and I am sick of it.'' I agree with him. I look forward to a return to the days when judicial nominations are treated with the respect and attention that they deserve.

It is my hope that we can start in the right spirit and move in the right direction by reporting out the nominations of Timothy Dyk to the Federal Circuit; Judge Richard Paez and Marsha L. Berzon to the Ninth Circuit; William J. Hibbler and Matthew F. Kennelly to the District Court for the Northern District of Illinois; and Ronnie L. White to the District Court for the Eastern District of Missouri. They have each already had confirmation hearings before the Senate Judiciary Committee. Four of the six have previously been reported favorably by the Committee. The Senate should act to confirm these six nominees before the end of the month.

We should proceed to confirmation hearings for Helene N. White, Ronald M. Gould, Barry P. Goode, Lynette Norton, Legrome D. Davis and Virginia Phillips. Each of these nominations has been before the Committee for more than nine months already. It is time for us to proceed.

With the continued commitment of all Senators we can make real progress this year. We can help fill the long-standing vacancies that are plaguing the Federal judiciary and provide the resources needed to the administration of justice across the country.

VETERANS' ACCESS TO MEDICARE

Mr. BURNS. Mr. President, I am pleased to join Mr. JEFFORDS in co-sponsoring the Veterans' Equal Access to Medicare Act. This bill requires the Secretary of Veterans Affairs and the Secretary of Health and Human Services to create a demonstration program to allow Medicare-eligible veterans to receive their treatment at VA treatment facilities. This is a thoughtful approach to try to help our veterans, especially our elderly veterans, receive all of their treatments in one place. In the process, we hope to save money for the taxpayers and get greater benefits for our treatment dollars.

This is a voluntary program to establish 10 regional sites nationwide to provide this new service. This bill calls out several criteria for potential sites: one must be near a closed military base, one must be in a predominantly rural area, and no new buildings must be built as part of this program. I'm especially interested in the potential for Montana to be the rural site. We currently have veterans traveling hundreds of miles for their VA treatments. By establishing some type of joint VA/Medicare program, we create opportunities to expand access and improve continuity of medical care for Montana Veterans.

I'm encouraged by the awareness being raised in the VA recently for our State. The recent town meetings by the VA officials are just the beginning. My presence there was intended to show the VA how serious we take the necessity of improvement. We have to get better. My commitment through the coming months is to look for additional ways to ease communication between Montana Veterans and the Washington, D.C. establishment. We also need to increase the opportunities for Veterans to hear more about the future plans for Veterans' health care. Again, I'll be working on both of these topics this spring.

We owe our veterans a debt of service for their sacrifices for our country. The program in this bill is a great opportunity for us to be fiscally responsible while improving the care and treatment of a group of honored citizens. I strongly encourage my colleagues to support this bill.

SPACE TRANSPORTATION LOAN GUARANTEES

Mr. BURNS. Mr. President, I am pleased to join Mr. BREAUX in co-sponsoring the Commercial Space Transportation Cost Reduction Act. This is a appropriate extension of programs that we have used to encourage other fledgling industries such as shipbuilding and rail. Through this legislation, we hope to build a commercially competitive launch industry here in America that brings the world's satellites to our doorstep for launch into orbit.

This bill sets up loan guarantee programs; not grant handouts, but loan guarantees to help encourage commercial investment in start-up space industries. We want to encourage anyone with an idea good enough to raise some start up funds to approach the financial market with some assurance that their request for business loans will be approved. By placing $500 million in a NASA account in a guarantee program, we will leverage growth and investment to many times that. To encourage truly competitive ideas, we've placed a number of guidelines on this bill. We will only guarantee a maximum of 80% of the capitol required for a space vehicle construction project, the rest must be raised privately. Ten to twenty percent of the pool is set aside for small businesses, and we've specifically excluded the DoD launch vehicle development programs currently underway. There is a credit-worthiness requirement with specific loan criteria for being eligible for the loan. Finally, it guarantees the U.S. Government the best price for any launch system developed under this program. To make sure that no launch companies become dependent on this funding, we've provided for an expiration of this program in 10 years.

I'm especially interested in the potential benefit to Montana. Many start-up companies choose to locate in Western states where they have room to actively test their ideas and inventions. When combined with VentureStar's interest in Montana, this loan guarantee program could help develop a space technology region in our state that would attract high-tech companies with high-tech jobs. Montana already has a lot to offer, and I'm convinced that this program is one more way to give potential businesses a reason to make Montana their headquarters.

As seen this past summer, launching rockets is a risky business even for well-established companies. We need to find ways to encourage banks to qualitatively judge the overall risks and invest in creative new ways to get satellites into orbit. By providing loan guarantees to qualified companies, we can grow our capable domestic launch program into the world's choice for getting access to space. I strongly encourage my colleagues to support this bill.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting one treaty and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT OF FEDERAL LABOR RELATIONS AUTHORITY FOR FISCAL YEAR 1997—MESSAGE FROM THE PRESIDENT—PM 12

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Governmental Affairs.

To the Congress of the United States:

In accordance with section 701 of the Civil Service Reform Act of 1978 (Public Law 95–454; 5 U.S.C. 7104(e)), I am pleased to transmit the Nineteenth Annual Report of the Federal Labor Relations Authority for Fiscal Year 1997.

The report includes information on the cases heard and decisions rendered by the Federal Labor Relations Authority, the General Counsel of the Authority, and the Federal Service Impasses Panel.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 2, 1999.*