

commerce and his assessment of the role of the Internet Tax Freedom Act in the encouragement of that potential. I also appreciate the concerns he referenced about the need for balance on the Advisory Commission on Electronic Commerce. The advisory panel can provide policymakers with valuable perspective on many of the issues that must be resolved if the potential of electronic commerce is to be fully realized.

Mr. LOTT. Mr. President, that is correct. Congress did recognize that an examination of e-commerce was needed to fully understand the ripple effects of taxing access to or transactions conducted on the Internet. During Senate deliberations on the bill, my colleagues and I listened intently to varying viewpoints. Consequently, the statute created a national Commission reflecting the stakeholders who would provide recommendations to Congress. Mr. President, the balance required by the statute has yet to be achieved. The Congressional leadership involved in the selection is taking another look at the current makeup of the membership and considering options to resolve the impasse.

Mr. DASCHLE. Mr. President, I concur with the Majority Leader. When Congress debated the Internet Tax Freedom Act, considerable attention was paid to the section of the bill that delineated the membership of the Advisory Commission. The legislation is very clear in specifying a balanced makeup of this panel. While some adjustments have already been made in an effort to achieve that goal, further discussion of the make up of the Commission and the requirements of the statute is clearly required.

As the Majority Leader knows, state and local governments have a lot at stake with respect to the deliberations of this Commission, and the Internet Tax Freedom Act anticipates their full participation on the panel. If we hope to reach consensus on a uniform taxation system that allows electronic commerce to flourish without eroding state and local tax bases, a balanced, representative Commission is in all parties' self-interest.

Mr. LOTT. Mr. President, the Internet has arrived, and it is worldwide. Let me share a few statistics. There are an estimated 66,000 new users a day, e-commerce is growing at about 200% a year, web sites went from 10,000 to 3.2 million in just 3 years. Congress needs the Commission's recommendations, and I look forward to reviewing them.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, March 1, 1999, the federal debt stood at \$5,643,045,679,358.32 (Five trillion, six hundred forty-three billion, forty-five million, six hundred seventy-nine thousand, three hundred fifty-eight dollars and thirty-two cents).

Five years ago, March 1, 1994, the federal debt stood at \$4,554,537,000,000

(Four trillion, five hundred fifty-four billion, five hundred thirty-seven million).

Ten years ago, March 1, 1989, the federal debt stood at \$2,743,808,000,000 (Two trillion, seven hundred forty-three billion, eight hundred eight million).

Fifteen years ago, March 1, 1984, the federal debt stood at \$1,473,047,000,000 (One trillion, four hundred seventy-three billion, forty-seven million).

Twenty-five years ago, March 1, 1974, the federal debt stood at \$470,866,000,000 (Four hundred seventy billion, eight hundred sixty-six million) which reflects a debt increase of more than \$5 trillion—\$5,172,179,679,358.32 (Five trillion, one hundred seventy-two billion, one hundred seventy-nine million, six hundred seventy-nine thousand, three hundred fifty-eight dollars and thirty-two cents) during the past 25 years.

#### HANNAH COVINGTON MCGEE, AN EXCEPTIONAL LADY

Mr. HELMS. There are times, Mr. President, when every Senator, on one occasion or another, for one reason or another, feels the need to share with his colleagues a moment of grief or happiness or sadness or hope.

This being a time like that for me, Mr. President, my purpose is to share a few thoughts about a wonderfully gifted, beautiful, thoughtful lady named Hannah Covington McGee.

I suppose I should begin, Mr. President, by stating that Hannah married a young fellow named Jerry McGee 33 years ago. Dr. Jerry McGee today is president of Wingate University, a splendid Baptist institution in North Carolina. Jerry is the kind of friendly, caring and active husband and father with an enthusiasm for his responsibility as a top-flight educator—and his privilege of being Hannah's husband all those years.

Mr. President, Jerry and Hannah this past weekend were enjoying a six-week sabbatical at Tortola Island, one of the British Virgin Islands. Their stay on Tortola had been, both said last week, the happiest weeks of their lives. It all ended when Hannah was awakened Sunday morning suffering an excruciating numbness which quickly developed into the massive cerebral hemorrhage that claimed Hannah McGee's life at such an early age.

Hannah grew up in Rockingham in North Carolina. At age 14 she caught the eye of a star athlete at Richmond County Senior High School. She married that star athlete years later—after both of them had finished college. They immediately began together devoting their lives to young people.

A mutual friend asked Jerry about Hannah. Jerry's response was that Hannah provided the kind of relationship that everyone dreams of; he confirmed that he had been in love with Hannah since his high school football days when she was that 14-year-old girl with the ponytail.

Mr. President, services for that beautiful, loving and caring Hannah will be

held at the Wingate Baptist Church tomorrow very close to the campus of Wingate University. She will be remembered as one who was forever and tirelessly doing things for others and, as Jerry McGee put it, "It never once occurred to her that anybody ought to do anything for her."

Mr. President, I certainly know nothing more than anyone else about the hereafter, or what will happen on that inevitable day for all of us. But I suspect that Saint Peter was standing at the Pearly Gate Sunday motioning for Hannah to come in and take her seat on the right hand of God who loves her just as all of us who know her do.

Mr. President, The Charlotte (N.C.) Observer this morning published a detailed story, written by Wendy Goodman, praising Hannah McGee. I ask unanimous consent that Wendy Goodman's fine article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Charlotte (NC) Observer, Mar. 2, 1999]

#### WINGATE PRESIDENT'S WIFE—AND MUCH MORE—DIES

(By Wendy Goodman)

WINGATE.—When Wingate University celebrates the opening of the George A. Battle Fine Arts Center later this year, a woman who had a hand in making the center a reality won't be there.

Hannah McGee helped lead the fund-raising campaign and decorate the new building's interior. An art lover, McGee hoped Wingate would serve as a cultural center for Union County.

McGee died Sunday morning in San Juan, Puerto Rico, of a brain aneurysm. She was 54.

"She had a great eye for things beautiful and artistic," said friend Stelle Snyder. "You could see her love for the arts in her home, in her work at Wingate, in anything she did."

"Hannah had so many responsibilities behind the scenes, and she loved her work."

Monday, flags at Wingate University flew at half-staff in honor of Hannah McGee. As the wife of Wingate President Jerry McGee, she left a lasting impression on the university and the entire community.

A Rockingham native, she moved to Wingate about 6½ years ago when her husband was named president of the university. But Hannah McGee was more than a president's wife, friends said.

"Hannah touched so many things in her own special way here at Wingate," said friend Barbara Williamson. "People never even knew all the hard stuff Hannah did because it was all behind the scenes."

Hannah McGee helped launch English as a second language program in Union County. As a board member of the Union County Players, she made costumes and worked backstage for several performances.

She played a major role in beautifying and restoring the M.B. Dry Memorial Chapel at the school. She never hesitated to open the doors to her home and entertain students, faculty and other guests.

"Bit by bit, we'll see Hannah's no longer with us," Snyder said.

Jerry McGee had taken a three-month sabbatical leave from the university in January to relax and spend more time with his wife of 33 years. The McGees were childhood sweethearts, and Jerry McGee often referred to

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