

New York. She is strongly supported by Senator MOYNIHAN and Senator D'AMATO.

Ironically, it was Judge Sotomayor who issued a key decision in 1995 that brought an end to the work stoppage in major league baseball. If only the breaking of the single season home run record could signal the end of the work stoppage in the Senate with respect to her nomination.

Instead of sustained effort by the Senate to close the judicial vacancies gap, we have seen extensive delays continued and unexplained and anonymous "holds" become regular order.

I began this year challenging the Senate to maintain the pace it achieved in the last nine weeks of the last session when 27 judges were confirmed. Instead, the Senate has confirmed only 39 judicial nominees in 24 weeks in session. Had the Senate merely maintained the pace that it set at the end of last year, the Senate would have confirmed 72 judges—not 39 judges—by now.

Last week *The Washington Post* included an editorial critical of the Senate for holding nominees without a vote on the Senate calendar. It was right to do so. We have 12 qualified nominees on the Senate calendar awaiting action. Including those still pending before the Committee, we have a total of 45 judicial nominations awaiting action, some of whom were first received over three years ago.

The Senate continues to tolerate upwards of 74 vacancies in the federal courts with more on the horizon—almost one in 10 judgeships remains unfilled and, from the looks of things, will remain unfilled into the future. The Judiciary Committee needs to do a better job and the Senate needs to proceed more promptly to consider nominees reported to it.

Unfortunately, the only record that the Senate is on pace to set this year with respect to judicial nominations is the record for the amount of time it takes to be confirmed once the nomination is received by the Senate. For those few nominees lucky enough to be confirmed as federal judges the average number of days for the Senate confirmation process has continued to escalate. In 1994 and 1995 judicial nominees took on average 86 or 87 days from nomination to confirmation. In 1996, that number rose to a record 183 days on average.

Last year, the average number of days from nomination to confirmation rose dramatically yet again. 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, the time is still growing and the average is still rising to the detriment of the administration of justice. The average time from nomination to confirmation for judges confirmed this year is 259 days. That is three times the time it took before this partisan slowdown began in earnest.

I have urged those who have been stalling the consideration of the President's judicial nominations to reconsider and work to fulfill this constitutional responsibility. Those who delay or prevent the filling of these vacancies must understand that they are delaying or preventing the administration of justice. Courts cannot try cases, incarcerate the guilty or resolve civil disputes without judges.

The federal judiciary's workload was at least 60 percent lower than it is today when the Reagan-Bush administrations took office. The federal court's criminal docket alone is up from 28,921 cases in 1980 to 50,363 last year. That is an increase of over 70 percent in the criminal case filings in the federal courts.

During the Reagan and Bush administrations, Democratic and Republican Senates promptly considered and confirmed judges and authorized 167 new judgeships in response to the increasing workload of the federal judiciary. While authorized judgeships have increased in number by 25 percent since 1980, the workload of the federal courts has grown by over 60 percent during the same period. That is why the prolonged vacancies being perpetuated by delays in the confirmation process are creating such strains within the federal courts.

Unlike other periods in which judicial vacancies could be attributed to newly-created judgeships, during the past four years the vacancies crisis has been created by the Senate's failure to move quickly to consider nominees to longstanding vacancies.

In the early and mid-1980's, vacancies were between 25 and 34 at the beginning of each session of Congress. By the fall of 1983, the vacancies for the entire federal judiciary had been reduced to only 16.

With attrition and the 85 new judgeships created in 1984, vacancies reached 123 at the beginning of President Reagan's second term, but those vacancies were reduced to only 33 within two years, by the fall of 1986. A Democratic Senate in 1987 and 1988 reduced the vacancies still further to only 23 at the end of the 100th Congress.

It was not until additional judgeships were created in 1990 that the next significant increase in vacancies occurred and then, again, the Democratic Senate responsibly set about the task of helping fill those vacancies with qualified nominees. Although President Bush was notoriously slow to nominate, the Democratic Senate confirmed 124 nominees in President Bush's last two years and cut the vacancies in half.

With respect to the question of vacancies, it is also important to note that in 1997 the Judiciary Conference of the United States requested an additional 53 judgeships be created and the Republican Congress has refused to consider that workload justified request. My bill to meet that request, S. 678, the Federal Judgeship Act of 1997,

has received no attention since I introduced it over a year ago. Had those additional judgeships been created, as they were in 1984 and 1990 under Republican Presidents, current judicial vacancies would number 127 and total almost 14 percent of the federal judiciary.

No one should take comfort from the number of confirmations achieved so far this year. It is only in comparison to the dismal achievements of the last two years that 39 confirmations could be seen as an improvement. The President has been doing a better job of sending the Senate scores of nominees more promptly. Unfortunately, qualified and capable nominees are still being delayed too long and stalled without action.

In commending Mark McGwire, Sammy Sosa and the others major league players who have inspired the nation with their achievements, I pledge to continue to work for comparable achievements by the Senate in connection with judicial confirmations.

NATIONAL HISTORIC TRAILS INTERPRETIVE CENTER

Mr. THOMAS. Mr. President, I rise to discuss a project that is extremely important to the city of Casper and the State of Wyoming. The National Historic Trails Interpretive Center, located in Casper, is a unique project designed to showcase the importance of Wyoming as a center for a number of historic trails in the West. The site selected for the Center overlooks the place where the Oregon, California, Mormon and Pony Express Trails cross the North Platte River. In addition, the head of the Bridger Trail and a fork of the Bozeman Trail can be seen from the spot.

The city of Casper and the State of Wyoming have been working very hard to build an interpretive center that will attract visitors from throughout the nation and provide them with a quality recreational and educational experience. The facility will showcase the important role historic trails played in the development of the West and the incredible hardships faced by settlers as they migrated to all of the western states. The project is strongly supported throughout Wyoming and would be funded through a unique "public/private" funding program using local, state and federal sources.

Wyoming's congressional delegation has been working on obtaining federal funds for the Historic Trails Center for many years. Throughout my time in the Senate, as well as my years serving as Wyoming's only Congressman, I have worked hard to obtain planning and architectural money for the Center and requested assistance from the Appropriations Committee in obtaining the roughly \$5 million in federal funds needed to complete the project. Unfortunately, construction funds have never been included in the appropriations bill.

This year, the House of Representatives has included \$2.6 million in the fiscal year 1999 Interior appropriations bill for completion of the National Historic Trails Center. Although this is only half of the money necessary to complete the project, I am extremely pleased the House took this action and recognized the importance of constructing this facility. Currently, the Senate version of the Interior appropriations bill does not include funds for the Trails Center. I understand the difficult funding choices faced by the Interior Appropriations Subcommittee as this bill was crafted, but I am extremely disappointed that the Senate version of this legislation did not provide funds for the Center.

As the Senate completes its work on the Interior appropriations bill and this legislation moves to a conference with the House, I plan to do everything I can to ensure that funds for the Historic Trails Center are included in the final bill. Clearly, this project has merit and would be a valuable addition to our nation's cultural and historic landmarks. Over the coming days, I plan to work with Senators GORTON and BYRD to ensure that the House funding level is protected during the conference on this legislation.

The National Historic Trails Interpretive Center is a worthy project. I urge the Senate to recede to the House language on this important measure and begin the process of completing this outstanding facility.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, September 15, 1998, the federal debt stood at \$5,511,724,391,342.63 (Five trillion, five hundred eleven billion, seven hundred twenty-four million, three hundred ninety-one thousand, three hundred forty-two dollars and sixty-three cents).

One year ago, September 15, 1997, the federal debt stood at \$5,375,122,000,000 (Five trillion, three hundred seventy-five billion, one hundred twenty-two million).

Five years ago, September 15, 1993, the federal debt stood at \$4,388,003,000,000 (Four trillion, three hundred eighty-eight billion, three million).

Ten years ago, September 15, 1988, the federal debt stood at \$2,598,251,000,000 (Two trillion, five hundred ninety-eight billion, two hundred fifty-one million).

Fifteen years ago, September 15, 1983, the federal debt stood at \$1,354,786,000,000 (One trillion, three hundred fifty-four billion, seven hundred eighty-six million) which reflects a debt increase of more than \$4 trillion—\$4,156,938,391,342.63 (Four trillion, one hundred fifty-six billion, nine hundred thirty-eight million, three hundred ninety-one thousand, three hundred forty-two dollars and sixty-three cents) during the past 15 years.

CHILD CUSTODY PROTECTION ACT

Mr. COVERDELL. Mr. President, I rise today in support of S. 1645, the Child Custody Protection Act. This bill makes it a federal offense to knowingly transport a minor girl across state lines to circumvent her home state's parental consent or notification laws and obtain an abortion. This bill sends an important message that we will support those states that have tried to protect minors from making a decision of this magnitude without the involvement of the parents. We should do everything we can to ensure that parents are able to exercise the responsibilities of guiding and protecting their children, and I applaud Senator ABRAHAM for his leadership on this issue.

A few of my constituents raised some concerns about S. 1645 that I would like to address. First, the bill imposes no burden on the right to an abortion, and it adds no new provisions or restrictions on state laws. S. 1645 is designed merely to preserve the integrity of parental involvement laws in states that have chosen to enact them. Second, the legislation does not violate the constitutional right to travel. Like the recently enacted Deadbeat Parents Punishment Act, the Child Custody Protection Act only punishes travel that is undertaken with the intent of dodging legitimate state laws. Third, in cases where teenagers are afraid to tell their parents, there are judicial bypass procedures to address these situations. A study performed by the American Journal of Public Health of these bypass procedures found that only 1 out of 477 girls was denied judicial authorization. Fourth, S. 1645 recognizes the role of states in ensuring that legal abortions are safe—to allow valid state laws to be avoided is to undermine the safety of the procedure and endanger the health of those minors. Fifth, parental involvement laws enjoy the support of 74 percent of Americans according to a 1996 Gallup poll. While S. 1645 does not alter any state's laws regarding abortion, it does ensure that states that do have these popular laws have a more realistic chance of enforcing them.

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 sundry nominations which were referred to the appropriate committees.

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

REPORT OF THE COMMODITY CREDIT CORPORATION FOR FISCAL YEAR 1996—PM 157

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 Agriculture, Nutrition, and Forestry.

To the Congress of the United States:

As required by the provisions of section 13, Public Law 806, 80th Congress (15 U.S.C. 714k), I transmit herewith the report of the Commodity Credit Corporation for fiscal year 1996.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 16, 1998.

MESSAGES FROM THE HOUSE

At 1:40 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 2795. An act to extend certain contracts between the Bureau of Reclamation and irrigation water contractors in Wyoming and Nebraska that receive water from Glendo Reservoir.

H.R. 2993. An act to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in National Park System and National Wildlife Refuge System units, and for other purposes.

H.R. 3445. An act to establish the Commission on Ocean Policy, and for other purposes.

H.R. 3898. An act to amend the Controlled Substances Act and the Controlled Substances Import and Export Act to conform penalties for violations involving certain amounts of methamphetamine to penalties for violations involving similar amounts cocaine base.

H.R. 3903. An act to provide for an exchange of lands located near Gustavus, Alaska, and for other purposes.

H.R. 4002. An act to designate the United States Postal Service building located at 5300 West Jefferson Street, Philadelphia, Pennsylvania, as the "Freeman Hankins Post Office Building".

H.R. 4003. An act to designate the United States Postal Service building located at 2037 Chestnut Street, Philadelphia, Pennsylvania, as the "Max Weiner Post Office Building".

H.R. 4079. An act to authorize the construction of temperature control devices at Folsom Dam in California.

H.R. 4166. An act to amend the Idaho Admission Act regarding the sale or lease of school land.

H.R. 4284. An act to authorize the Government of India to establish a memorial to honor Mahatma Gandhi in the District of Columbia.

H.R. 4382. An act to amend the Public Health Service Act to revise and extend the program for mammography quality standards.

H.J. Res. 117. Joint resolution expressing the sense of Congress in support of the existing Federal legal process for determining the safety and efficacy of drugs, including marijuana and other Schedule I drugs, for medicinal use.

The message also announced that the House disagrees to the amendment of