

are a man or woman. Based on just the gender statistic, in fact, since I have been majority leader, I believe the record will show we have approved a lot more women than George Mitchell did when he was majority leader.

These accusations that were made today ring hollow. I hate to see the Senate stoop to that level. I met with White House officials today and told them we were going to try to clear these 27 nominations, and we will keep trying to move them all. I do not think it is reasonable to try to hold up one 6-year-term nominee to try to get two lifetime nominees to the Ninth Circuit Court of Appeals, a circuit that already has too many activist judges in it, a circuit that is the most liberal in this country, a circuit that is overruled more than any other circuit in the country by the Supreme Court, a circuit basically that is out of control. The nominees for these two positions have given rise to a great deal of controversy, to serious questions about whether they would be activists on the court, and to grave concerns about their records.

I understand the objection, and hopefully we can clear it up early tomorrow or next week. I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

IN HONOR OF JOHN CHAFEE

Mr. BENNETT. Mr. President, I was in New York on Monday to hold a hearing of the Y2K Committee when Senator MOYNIHAN, a member of that committee, joined me. I greeted him with the normal good humor that we greet one of our colleagues, but he did not respond in good humor. Instead, he said to me: I have very sad news. I was a little surprised at that and asked him what was so significant as to cause him to be so downcast. He said: John Chafee died. That was very sad news, indeed.

I was stunned, along with my colleague from New York, and had to reflect on how recently I had seen John Chafee, spoken with him, found him in good spirits, if not in good health. Indeed, I thought he was in good health.

On Friday of last week, I was addressing a group of students from the State of Utah answering their questions about the Senate and Senate procedure and Senate life and was interested when I got a question that I often get from people outside of the political arena. It was: Tell us about life as a Senator. And specifically this question was: Tell us about the Senators. Then the questioner said: Tell us who your friends are.

That is always an interesting question. You want to be careful about the answer because you do not want to offend anyone by leaving them out. But I said to that group on Friday: I have

many friends in the Senate, but one of my closest friends is John Chafee.

I put those two incidents over the weekend together. On Friday, I am citing the name of John Chafee as one of my closest friends, and on Monday, one of my other friends in this body tells me of John's passing.

I have waited until now to take the floor to pay tribute to John Chafee, partly because of the press of business and partly because I was afraid I could not keep my composure. Those who know me well know my emotions sometimes run very close to the surface. I get dewy-eyed at the dedication of a parking lot. For that reason, an occasion such as this one can be a difficult one. At the same time, however, I want to look at the death of John Chafee from a slightly different perspective.

We mourn his passing. We become emotional at the thought of his loss. But we should recognize in many ways this is a time for rejoicing.

I have had the experience, along with many others, of dealing with aging parents. My father was 95, my mother 96, when they passed away—neither one of them in good health.

My mother dealt with an aging parent in her lifetime, a father who had a stroke and then lingered for a number of years thereafter. Mother used to say to us: If I'm killed in an automobile accident, rejoice. I don't look forward to going through old age.

When people retire, very often they go downhill rapidly. John showed no signs of that, but his health was failing. He had been in the hospital for a back problem. He was not an old man by my standards. Seventy-seven seems increasingly younger as I get closer to it myself. But I think of the possibility of John Chafee running downhill in old age. I think we might rejoice that he was spared that.

John Chafee left at the top of his game, at the top of his form. He was a Senator's Senator. He was involved in everything. We did not vote together very often, but when we did, he was always grateful; and when we did not, he was always understanding. I never had an occasion where John Chafee was disapproving.

We stood together on one issue where we were two of four Republicans—one of the occasions where we crossed the line; John did that more often than I—to join with a group of Democrats. That was the flag amendment. John and I both had great reverence for the flag of the United States, but we felt our reverence for the Constitution outweighed that and that the Constitution should not be amended to deal with a nonexistent problem because flag burning is no longer going on in the United States, except by those who want to goad us into attempting to amend the Constitution. At least that is the way I saw it and that is the way John saw it.

He was always friendly and supportive when we had those kinds of problems.

The thing I will remember the most about John Chafee, as a Senator's Senator, was the way he would go after problems and not people, the way he would tackle challenges and not the challengers, the way he would maintain a constant good humor, even in the face of difficulties within his own party or difficulties from across the aisle.

It is a time for rejoicing, rejoicing because we had the privilege of dealing with this man, right up to the end of his life, and then seeing him spared the long good-bye that we are seeing in others—Ronald Reagan, for example. I think if John Chafee were given the choice, he would take the choice the Good Lord has given him rather than lingering on in some crippled fashion. He had a weak heart, weaker than any of us knew. The possibility of that kind of situation was perhaps there, but I am following the advice of my mother, who, looking at the possibility of an old age, said: If I'm taken suddenly, don't mourn. Rejoice.

There is very little I think we can add to the accomplishments of John Chafee's life. We can rejoice that we knew him, served with him, and we were with him right up to the moment where he left, as I say, at the top of his game.

I extend my deepest sympathies and condolences to his family. I have met both his wife and his son. I know what fine people they are. I know how desperately they feel this loss.

ORDERS FOR FRIDAY, OCTOBER 29, 1999

Mr. BENNETT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Friday, October 29. I further ask consent that on Friday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin 30 minutes of debate equally divided between the two leaders on H.R. 434, the African trade bill. I further ask consent that the cloture vote occur at 10 a.m. on Friday.

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

PROGRAM

Mr. BENNETT. For the information of all Senators, the Senate will begin debate on the African trade bill at 9:30 a.m. Following 30 minutes of debate, the Senate will proceed to a cloture vote on the Roth substitute amendment to the trade bill. Therefore, the first vote will occur at approximately 10 a.m.