

compromise and the compromise of principle." This sentiment has guided me through many tough negotiations and heated debates where it is sometimes difficult to know when it is best to be stalwart for the sake of principle and when it is time to seek common ground in the name of action.

Compromising one's principles is wrong; but the principle of compromise, on the other hand, is the essence of a healthy democracy. Senator Smith's wisdom has helped me many times in reaching decisions on thorny issues.

Mr. President, 25 years after my first encounter with Senator Smith, I fulfilled the dream that she fostered in me back in 1971, and was elected to her seat in the U.S. Senate. Just as Senator Smith was the first woman elected in her own right to both the House of Representatives and the Senate, upon my election, Maine became the first State in the Nation to be represented and to elect two Republican women Senators.

This distinction is a fitting tribute and testament to the legacy of Margaret Chase Smith. If not for her 32 years of congressional service, many doors to and within the Capitol might still be closed to women today.

In all of history, Mr. President, there have only been 15 women elected to the U.S. Senate in their own right, and 3 of us have been from the great State of Maine.

Thanks to Senator Smith's decades of selfless service, principled leadership and pioneering efforts, the people of Maine know that leadership is not about gender; it is about decency and tenacity and service and integrity. Margaret Chase Smith embodied all of these traits, and so much more.

Today, I honor her for paving the way for me, and countless others, and for establishing the thoughtful and independent approach to public service that Mainers have come to expect from their elected officials.

I thank the Chair. And I also thank the Chair for presiding for me so that I could pay tribute on the 100th anniversary of the great Senator from Maine, Margaret Chase Smith.

I yield the floor.

The PRESIDING OFFICER. The Presiding Officer in his capacity as a Senator from the State of Wyoming suggests the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SPECTER. I compliment the distinguished Senator from Maine, Senator COLLINS, for those very erudite and profound remarks. The U.S. Senate is graced by two women Senators, Senator OLYMPIA SNOWE and Senator SUSAN COLLINS. I know that Senator Margaret Chase Smith is a role model

for them as she is a role model for so many in America—men as well as women.

It is with some frequency I quote her famous dictum, to distinguish between the principle of compromise and the compromise of principle.

I think with the qualities of Senator COLLINS and Senator SNOWE, they would be in the U.S. Senate even without Senator Margaret Chase Smith blazing the trail for them in Maine, but it didn't do them any harm.

That was an extraordinary statement. I have had the good fortune to work with both Senator COLLINS and Senator SNOWE on a little Wednesday lunch group and on the Governmental Affairs Committee. Senator COLLINS has done outstanding work on the Governmental Affairs Committee and I think there is more coming.

NOMINATION OF JUDGE MASSIAH-JACKSON

Mr. SPECTER. I have sought recognition today to comment about the pending judicial nomination of Judge Frederica A. Massiah-Jackson who has been nominated for the U.S. District Court for the Eastern District of Pennsylvania. Judge Massiah-Jackson currently serves on the court of common pleas of Philadelphia County where she has been a State court judge for the past 14 years. I believe Judge Massiah-Jackson should be confirmed, and regrettably that will not happen today, which is the last day of the session, because two of our colleagues have insisted on rollcall votes, and one colleague insisted on an opportunity to debate the nomination beyond a rollcall vote.

It appears virtually certain, if not certain, that there will be no rollcall votes today, our last day in session, because our distinguished majority leader, Senator LOTT, had announced that he would not have rollcall votes unless he gave Senators who are widely dispersed at this time an opportunity to come back, and therefore the business of the Senate is going to be completed by voice votes.

I do not question the judgment of my colleagues to ask for rollcall votes, although customarily we do not have rollcall votes on district court nominees. Perhaps it would be sufficient for individual Senators to note their objection for the record. These two Senators have already noted their opposition to Judge Massiah-Jackson on the rollcall vote in the Judiciary Committee where she was recommended for nomination by a 12 to 6 vote.

Judge Massiah-Jackson had substantial Republican support in the committee and she has the support of my distinguished colleague, Senator SANTORUM, as well as myself, the two home State senators. It is the practice for the caucus to rely upon home State senators on matters involving U.S. district court judges.

Judge Massiah-Jackson has been questioned on two intemperate re-

marks which she made, one which she thought was under her breath, and has acknowledged her error, and I think it fair to say that if two intemperate remarks were disqualifiers or a disqualifier from being a Federal judge or a U.S. Senator, for most positions, perhaps all positions of responsibility, nobody would hold any job of responsibility because intemperate remarks escape all of us from time to time. She has apologized. The Senator who presided at her hearing noted with some acknowledgment the sufficiency of that particular apology.

Judge Massiah-Jackson has been questioned about sentencing. She has tried more than 4,000 criminal cases. There were 95 appeals taken and she was reversed in some 14 cases, which is a pretty good record. Her rating on the standard for judges on compliance with the sentencing guidelines is well within the norm of her contemporaries. She had a rating in the 72- to 82-percent compliance at a time when the compliance of other common pleas judges was in the 70- to 86-percent range.

She had questioned, from time to time, certain police officers. I was district attorney of Philadelphia for 8 years following being an assistant D.A. for some 4 years, and while I was district attorney I ran tough investigating grand juries where there was evidence of narcotics violations, narcotics corruption within the police department. There have recently been a spate of many reversals and Federal investigations by the U.S. Attorney for the Eastern District of Pennsylvania. So it is not unusual to have questions about police conduct following on the old statement that there are some bad apples in the barrel.

I think in totality, Judge Massiah-Jackson's record is a very good one. I am disappointed she will not be confirmed because we have just had the swearing in of circuit Judge Midge Rendell, and we are now planning the swearing in of Judge A. Richard Caputo in Wilkes-Barre and former State court Judge Bruce Kaufman in the Eastern District.

I am sorry Judge Massiah-Jackson will not be sworn in before the end of the year to take on the very substantial duties of helping the backlog in the Eastern District. I do thank my distinguished and majority leader, Senator LOTT, for agreeing to list Judge Massiah-Jackson on the second day when we return. We are due to come in on January the 27. That is expected to be the night of the State of the Union speech, and Senator LOTT has told me that he will schedule Judge Massiah-Jackson for floor debate and a vote on the day we return. It may be that there will be two other judges in a similar position, so I thank Senator LOTT for his assistance there, and I thank him, also, for aiding me in the determination of Senators on our side of the aisle who have so-called holds.