

SENATE—Thursday, September 21, 2000

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. The Chaplain will now deliver the opening prayer.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Lord, Your unfailing love and mercy continue, fresh as the new morning, as sure as the sunrise. You are our strength and again we put our hope in You.

Lord, a packed agenda awaits Senators today. May their minds be power-packed with Your wisdom. Grant them physical stamina for the strain of busy schedules, the demands of decisions, the sapping strain of conflict, and the personal problems they think they must carry alone. Help them to claim Your promise, "As the day so shall Your strength be." Pour Your spirit into the wells of their souls and give them supernatural resiliency and resourcefulness. May the Senators and all of us who work with and for them accept this new day as Your gift, entering into its challenges with eagerness and into its possibilities with a positive attitude. As we grow in Your joy help us to remind our faces to radiate it. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PAT ROBERTS, a Senator from the State of Kansas, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. MURKOWSKI. Mr. President, on behalf of the leader, I have been asked to announce that the Senate will be in a period of morning business until 11:30 a.m., with the time in control of the majority leader and the Democratic leader or their designees. Following morning business, the Senate will resume postcloture debate on the motion to proceed to the H-1B visa bill. However, if an agreement regarding the Water Resources Development Act can be reached, the Senate may begin con-

sideration of that measure during today's session.

Senators should be aware that votes are expected during this afternoon's session. I thank my colleagues for their attention.

MEASURE PLACED ON CALENDAR—H.R. 5203

Mr. MURKOWSKI. Mr. President, I understand there is a bill at the desk due for its second reading.

The PRESIDING OFFICER. The clerk will read the bill for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 5203) to provide for reconciliation pursuant to sections 103(a)(2), 103(b)(2) and 213(b)(2)(C) of the concurrent resolution of the budget for fiscal year 2001, and to reduce the public debt and to decrease the statutory limit on the public debt, and to amend the Internal Revenue Code of 1986 to provide for retirement security.

Mr. MURKOWSKI. I object to further proceedings on this bill at this time.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the assistant minority leader be recognized in general conformance with our procedure and, after that, I may be recognized in morning business for about 15 minutes, followed by Senator SPECTER, followed by Senator BIDEN.

The PRESIDENT pro tempore. Is there objection?

Mr. SPECTER. Reserving the right to object, with that statement, as the Senator from Alaska is taking 15 minutes, I ask unanimous consent that 15 minutes be allocated to me and 15 minutes to Senator BIDEN.

The PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, Senator MURKOWSKI has graciously consented that the Senator from Kansas and I be allowed to speak for a few minutes prior to their unanimous consent request taking effect. I ask the Chair to recognize the chairman of the Ethics Committee, Senator PAT ROBERTS.

The PRESIDENT pro tempore. The Senator from Kansas is recognized.

HONORARIA FOR FEDERAL JUDGES

Mr. ROBERTS. Mr. President, Senator REID and I would like to offer a few observations at this point. I thank my colleagues for allowing us to proceed before them regarding the general order.

We want to offer a few observations with respect to what I understand is a proposal to remove Federal Judges and Justices from the prohibition on honoraria, a proposal that would also remove the honoraria from the limitation on outside earned income. I strongly oppose that effort.

This seems manifestly a very wrong approach to what may be a very real problem. The alternative offered in this proposal of having the Nation's most esteemed jurists turn to the lecture circuit to supplement their salary, I believe, is simply unacceptable. The cost, it seems to me, would be too high. It would be measured in the further loss of confidence in the integrity of this Government's officials. Congress took an important step in trying to restore public confidence in the institutions of Government when it enacted the honoraria ban as part of the ethics reform package way back in 1989. I remember the discussion of it and the debate well in the House of Representatives, as I served in the House at that time. We should not backtrack on that effort. If our Federal Judges and Justices need a pay raise, then by all means let's provide for one, but let's not retreat to the discredited practices of the past.

Mr. REID. Mr. President, I thank Chairman ROBERTS for his comments and also for the work he does on a daily basis for the Ethics Committee. He works tirelessly, without complaint, and does an outstanding job for the Senate and the people of this country. Again, I thank the chairman for his comments regarding this matter. I have the greatest respect for Chief Justice Rehnquist. He has rendered great service to the country. I think he has been a good Justice. For example, almost 2 years ago now, he was the Presiding Officer in this body in one of the most difficult situations we have had in this country, dealing with the impeachment of the President. He did an exemplary job. I thought he was outstanding. But I believe on this issue he is wrong. He spoke out that the Judges should have honoraria. They don't need honoraria. I believe there is a great deal of truth in the observation that there was little honor in the honoraria practices of years ago.

Although a portion of the honoraria ban was declared unconstitutional by the Supreme Court, after which the Department of Justice Office of Legal Counsel indicated that they would not enforce the ban in any part of government, notwithstanding these actions, the honoraria ban has continued in force by rule of the Senate, and for