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House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, March 8, 2000, at 10 am.

Senate

TUESDAY, MARCH 7, 2000

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Almighty God who is for us and not against us, who recruits us for the battle of what is right and just, and who empowers us to seek the truth and speak it with love, our central purpose is to glorify You by serving our Nation.

Renew a sense of chosenness in the women and men of this Senate. Remind them that You have chosen them; they are here by Your choice. Revive in them a sense of divine calling. Reclaim for them the dignity of the high calling of politics. Rekindle their fires of patriotic passion. Give them a perfect blend of resoluteness and intentionality. Our times demand greatness, the greatness that comes from listening to You so intently that we can speak the truth with intrepid boldness and courage. In the midst of the two-party system, help the Senators to affirm their oneness as Americans and keep a strong spirit of unity in the struggle for what is best for our Nation. You alone are the one who can draw them beyond secondary loyalties to their ultimate loyalty to You and help them work together in civility and respect. Thank You for calling these men and women and helping them choose to be chosen. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE CRAPO, a Senator from the State of Idaho, 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 PRESIDING OFFICER (Mr. CRAPO). The Senator from Maine.

SCHEDULE

Ms. COLLINS. Mr. President, today the Senate will be in a period of morning business until 12:30 p.m. Following morning business, the Senate will recess until 2:15 p.m. so the weekly party caucuses may meet. Upon reconvening, the Senate will begin consideration of the nominations of Marsha Berzon and Richard Paez to be the U.S. circuit judges for the Ninth Circuit.

ORDER OF PROCEDURE

I now ask unanimous consent that the debate time between 2:15 p.m. and 5 p.m. be equally divided between the proponents and the opponents of the Berzon and Paez nominations.

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

Ms. COLLINS. Mr. President, by previous consent, at 5 p.m. the Senate will proceed to a vote on the confirmation of the Executive Calendar No. 423, the nomination of Julio Fuentes. Senators can therefore expect the first vote to occur at 5 p.m. today. I thank my colleagues for their cooperation.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. There will now be a period for the transaction of morning business not to extend beyond the hour of 12:30 p.m. with Senators permitted to speak therein for up to 5 minutes each.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 2194 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Nevada is recognized.

THE RECORD OF JUDGE RICHARD PAEZ

Mr. REID. Mr. President, I wanted to speak a little earlier, but I didn't have the opportunity. The minority is very happy that we are going to move forward on some judicial nominations. One of the nominations holds a record. It is a record that Judge Paez has. He has been waiting more than 4 years to have the Senate decide whether or not he can be elevated to the Ninth Circuit. We feel Judge Paez is eminently qualified. I think we will find that a majority of the majority will also feel that way.

Here is a man whose record is unsurpassed. He is a person who has been said to be—these are different quotes—"a well-respected, experienced judge."

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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"Judge Paez has bipartisan support." "Judge Paez is not an 'activist', nor is he 'anti-business.'" Judge Paez has outstanding judicial temperament and is not 'antireligion.'" Judge Paez has not acted "unethically." "Judge Paez has committed to follow the law on the death penalty," and to follow the law generally.

I hope when we look at this man and his qualifications, he will receive an overwhelming vote. He is qualified for the Ninth Circuit.

Judge Paez is a graduate of Brigham Young University and he received his law degree from the University of California at Berkeley in 1972. He has received the highest rating given by the American Bar Association to Federal judicial nominees, which is well qualified.

It is important to note his nomination swept through here earlier when he was confirmed to the trial court on the Federal judicial level. He served with distinction after we, the Senate, approved his nomination. He has done that for 5 years, where he has served, as I have indicated, as a U.S. District Judge for the Central District of California. He has presided over numerous trials. Prior to being a Federal district court judge, he had a distinguished career as a State court judge. He served as a California State judge for 13 years. He is somebody who has been active in charitable and community affairs. He is a family man. His mother and father and 10 brothers and sisters live in another Western State, the State of Utah.

As I have indicated, Judge Paez has bipartisan support from, for example, JAMES ROGAN, a Republican Congressman from California, and a former judge himself; he supports Judge Paez. He has support from Los Angeles district attorney, Gil Garcetti; Los Angeles County Sheriff, Sherman Block; Los Angeles Police Protective League; National Association of Police Organizations; former California judge and president of the Los Angeles Bar Association, Sheldon Sloan; Association for Los Angeles Deputy Sheriffs, President Pete Brodie; Los Angeles County Police Chiefs' Association. It goes on and on. It is a shame we have not worked and gotten this nomination approved earlier. I hope, as I have indicated, this will not become related to some extraneous issue. It should be decided on its merits.

Mr. President, I recognize that my friend from Alaska, the chairman of the Energy and Natural Resources Committee, is going to speak on the Ninth Circuit. I have some familiarity with it because the chief judge in the Ninth Circuit is from Nevada, Procter Hug. We are proud of the fact that he is the chief judge of the Ninth Circuit. He also has rave reviews. He is a graduate of Stanford University School of Law. He has administered the Ninth Circuit very well. I hope those who feel there should be something done about the Ninth Circuit would look at what we have already done. This has become an

issue. As a result of that, there was a commission appointed, led by former Supreme Court Justice Byron "Whizzer" White. They made a decision on what should be done with the Ninth Circuit, and that it should be kept intact and be administered differently.

So I hope the committee of jurisdiction which will review the Ninth Circuit matters will take into consideration what has already been done, and that there will be hearings held as to what should be done, if anything, with the Ninth Circuit.

EXPORT ADMINISTRATION ACT

Mr. REID. Mr. President, I think it is important this week that we move forward with the Export Administration Act. This is something that is more than 10 years overdue. We must move forward on that. We are talking about being friendly in the Senate to the high-tech industry. There is nothing we could do that would be more friendly to the high-tech industry today than passing the Export Administration Act. If we are going to continue to be the leader in the high-tech industry in the world, we have to pass this act immediately. If not, we are going to have these businesses move offshore. That is, in effect, what this Export Administration Act does.

I commend Chairman GRAMM of Texas. He indicated he would do what he could to move this forward. He has kept his word. This is being held up by just a few of the chairmen of committees. It should not be. This is not a partisan issue. We should move forward, recognizing we are no longer in a cold war, that defense issues can be resolved very easily, and this is something we should finish before we take our break next week.

Mr. President, I ask unanimous consent that following the remarks of the Senator from Alaska, Senator DORGAN be recognized, in keeping with the previous order entered for 20 minutes.

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

MEASURE READ THE FIRST TIME—S. 2184

Mr. MURKOWSKI. Mr. President, I rise this morning to introduce a bill, which I send to the desk, and I ask for its first reading.

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

The senior assistant bill clerk read as follows:

A bill (S. 2184) to amend chapter 3, title 28, United States Code to divide the Ninth Judicial Circuit of the United States into two circuits, and for other purposes.

Mr. MURKOWSKI. Mr. President, I now ask for its second reading and objection to my own request.

The PRESIDING OFFICER. Objection is heard. Under the rule, the bill will receive its second reading on the next legislative day.

(The remarks of Mr. MURKOWSKI and Mr. HATCH pertaining to the introduction of S. 2184 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. Under the previous order, the Senator from North Dakota is recognized for up to 20 minutes.

FEDERAL RESERVE BOARD

Mr. DORGAN. Mr. President, I came back from North Dakota on a late flight last evening on Northwest Airlines, flying North Dakota to Washington, DC. When one is traveling all day and up late, one gets up in the morning and it takes a while to adjust to find a good mood. My morning wasn't enhanced when I saw USA Today and saw the headline, once again, that Mr. Greenspan digs in his heels on rate hikes.

Mr. Greenspan goes to Congress and decides he will tell the American people they should brace themselves, he will increase their taxes in the form of higher interest rates. That did not exactly make my day this morning.

I will make a couple of comments about what Mr. Greenspan and the Federal Reserve Board are doing.

March 7, Wall Street Journal:

The U.S. work force was much more efficient in the fourth quarter than initially thought, push labor costs sharply lower.

Nonfarm productivity grew at a 6.4% rate in the last three months of 1999, the fastest pace in seven years and well above the government's initial estimate of 5%, the Labor Department said Tuesday. The increase caused the biggest decline in unit labor costs in seven years—a drop of 2.5% that was more than double the 1% reduction the government estimated.

The surge in productivity, which was in line with expectations, generally would suggest that the risk of inflation remains low despite feverish economic growth. Because workers are producing more goods and services per hour, employers can afford to pay higher wages without having to pass on additional costs to consumers.

I wonder if Mr. Greenspan has seen this information, or does he just disregard it. It does not matter what the facts are. They are intent on increasing interest rates at the Federal Reserve Board.

How about this. Mr. Greenspan says he fears demand is still too strong, even after reports last week that job growth has slowed in February, unemployment rose, and sales for new homes dropped sharply at the beginning of the year. He says our country is growing too fast and too many people are working, and so he has decided he wants, once again, to increase interest rates.

What does increasing interest rates mean? I will tell you what it means. If he, as some expect, increases interest rates another full 1 percent, which will double it from where rates were about a year ago, it means that every North Dakota farm family will pay about \$1,500 more per year in interest costs. Typical nonfarm households in North Dakota will pay about \$700 more a year in added costs.