

Senator THUNE on the floor. Does he wish to be recognized after Senator COBURN?

Mr. THUNE. Reserving the right to object, as of right now, BROWN for 5? COBURN?

Mr. REID. I understand he wants to speak for about 40 minutes. I am sure, knowing Dr. COBURN, if you have a short statement, he would not care. How long do you wish to speak?

Mr. THUNE. For 7 minutes.

We will work it out on our side.

Mr. REID. I ask that Senator THUNE be recognized. Senator COBURN wants to lay down his amendments. I will renew this consent request in a minute. I withdraw the consent at this time.

The PRESIDING OFFICER. The request is withdrawn.

REPEALING AUTOMATIC PAY ADJUSTMENTS FOR MEMBERS OF CONGRESS

Mr. REID. The recently passed Omnibus appropriations bill completed unfinished business from the Bush administration, which funded the Government to provide critically needed services for the American people. The omnibus that was signed into law last week also eliminated the congressional cost-of-living adjustment for 2010.

During debate on that bill, I sought unanimous consent of this body to take up and pass freestanding legislation to permanently end the automatic cost-of-living adjustment and instead require Members of Congress to vote for or against all future adjustments.

Especially in this hour of economic crisis, the overwhelming majority of Democrats and Republicans would agree that we should end this practice of automatic adjustments. Senator FEINGOLD has championed this cause for a long time, 17 years to be exact. I applaud him for his leadership. Others have tried to take this issue from Senator FEINGOLD, but it is his issue and has been, I repeat, for 17 years. This should have passed last Tuesday when I asked unanimous consent for the bill to pass. One week later, let's see who objects to passing this bill. It should have been done last week.

An overwhelming bipartisan majority of Senators is undeterred by the obstruction that took place last week. Passing this legislation to permanently end the automatic cost-of-living adjustment for Members is the right thing to do.

Absent any further objections, we should do so right now and pass it.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 620, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 620) to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times and passed; the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to this bill be printed in the RECORD.

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

The bill (S. 620) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 620

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ELIMINATION OF AUTOMATIC PAY ADJUSTMENTS FOR MEMBERS OF CONGRESS.

(a) IN GENERAL.—Paragraph (2) of section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 601(a)(1) of such Act is amended—

(1) by striking “(a)(1)” and inserting “(a)”;

(2) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively; and

(3) by striking “as adjusted by paragraph (2) of this subsection” and inserting “adjusted as provided by law”.

(c) EFFECTIVE DATE.—This section shall take effect on December 31, 2010.

Mr. FEINGOLD. Mr. President, I commend our majority leader for moving this legislation through the Senate. I have introduced legislation like this for the past six Congresses, and am delighted that, because of Senator REID's leadership, this proposal has finally passed the Senate.

Congress has the power to raise its own pay, something that most of our constituents cannot do. Because this is such a singular power, Congress ought to exercise it openly, and subject to regular procedures including debate, amendment, and a vote.

But current law allows Congress to avoid that public debate and vote. All that is necessary for Congress to get a pay raise is that nothing be done to stop it. The annual pay raise takes effect unless Congress acts.

That stealth pay raise mechanism began with a change Congress enacted in the Ethics Reform Act of 1989. In section 704 of that act, Members of Congress voted to make themselves entitled to an annual raise equal to half a percentage point less than the employment cost index, one measure of inflation.

On occasion Congress has voted to deny itself the raise, and the traditional vehicle for the pay raise vote is the Treasury appropriations bill. But that vehicle is not always made available to those who want a public debate and vote on the matter. As I have noted in the past, getting a vote on the annual congressional pay raise is a haphazard affair at best, and it should not be that way. The burden should not be on those who seek a public debate and recorded vote on the Member pay raise. On the contrary, Congress should have to act if it decides to award itself a hike in pay. This process of pay

raises without accountability must end.

I was pleased to join with the junior Senator from Louisiana, Mr. VITTER, in offering an amendment to the Omnibus appropriations bill recently. That amendment received strong support, support which was all the more remarkable because many of the amendment's potential supporters felt constrained to oppose it in order to keep the underlying legislation free of amendments. I commend Senator VITTER for his efforts to end this system. Now, thanks to our majority leader, we have a real chance to do so.

This issue is not a new question. It was something that our Founders considered from the beginning of our Nation. In August of 1789, as part of the package of 12 amendments advocated by James Madison that included what has become our Bill of Rights, the House of Representatives passed an amendment to the Constitution providing that Congress could not raise its pay without an intervening election. On September 9, 1789, the Senate passed that amendment. In late September of 1789, Congress submitted the amendments to the States.

Although the amendment on pay raises languished for two centuries, in the 1980s, a campaign began to ratify it. While I was a member of the Wisconsin State Senate, I was proud to help ratify the amendment. Its approval by the Michigan Legislature on May 7, 1992, gave it the needed approval by three-fourths of the States.

The 27th amendment to the Constitution now states: “No law, varying the compensation for the services of the senators and representatives, shall take effect, until an election of representatives shall have intervened.”

I honor that limitation. Throughout my 6-year term, I accept only the rate of pay that Senators receive on the date on which I was sworn in as a Senator. And I return to the Treasury any cost-of-living adjustments or pay raises during my term. I don't take a raise until my bosses, the people of Wisconsin, give me one at the ballot box. That is the spirit of the 27th amendment, and at the very least the stealth pay raises permitted under the current system certainly violate that spirit.

This practice must end, and I am delighted to say that thanks to Majority Leader REID, we have a real chance at ending it. I urge the House of Representatives to take this bill up and pass it right away, so we can assure the American people that we are serious about ending a system that was devised to provide us with regular pay increases without any accountability.

REVOLUTIONARY WAR AND WAR OF 1812 BATTLEFIELD PROTECTION ACT—Continued

Mr. REID. Mr. President, I now ask unanimous consent that Senator BROWN be recognized for 5 minutes—

Mr. THUNE. Mr. President, if the leader would yield, I think the Senator