Mr. Speaker, Congress should be of the people, not its permanent representative. Mason knew that this Nation would be best served by having individuals who have lived as private citizens representing them in Congress. I urge my colleagues to vote for term limits.

EDUCATION IS PART OF THE AMERICAN DREAM

(Mr. WATT of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. WATT of North Carolina. Mr. Speaker, getting an education is part of the American dream. For generations, the Federal Government has helped average, everyday, working-class, and middle-class Americans secure this American dream through financial aid programs for college.

Well, this key component of the American dream is on the chopping block also. Let us be absolutely clear: This is not welfare we are talking about; we are talking about Federal financial aid that goes to working-class and middle-class kids. We are talking about programs that average, everyday working, and middle-class Americans help to finance through their tax dollars. We are even talking about work study, that is, work for money to pay for education.

But make no mistake about it, we are talking about programs that the wealthy string pullers who control the Republican Party do not care one iota about. They can pay for their kids' education. Can you?

EIGHTY PERCENT OF AMERICANS SUPPORT TERM LIMITS

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KNOLLENBERG. Mr. Speaker, polls estimate, as everybody knows, that 80 percent of Americans support term limits. Yet I know there are some Republicans who do not, but there are some Democrats who, frankly, oppose, and have actively done so, for some time. Frustrated by 40 years of Democratic inaction and blatant obstruction to term limits, the American people were forced to take this battle to the ballot box, State by State, in a grassroots effort to circumvent an arrogant Congress that thought it knew better than those people it represented.

The makeup of today's Congress is very different, in large part because of the term-limit movement. The new majority believes the people have a right to be heard, and that is why this GOP-led Congress is bringing a historic first ever vote on term limits to the floor of the House today.

For those Democrats sitting on the fence on term limits, just talking about those on the fence, look back at last year's election. Many of your colleagues who fought against the will of the people, about 35 of them, are not here. They are now watching this debate as observers instead of Members of Congress.

The way I see it, we either get your vote on term limits today or we will get your seat in 1996. Think about it.

A TRIBUTE TO THE UCONN HUSKIES WOMEN'S BASKETBALL TEAM

(Mrs. KENNELLY asked and was given permission to address the House for 1 minute.)

Mrs. KENNELLY. Mr. Speaker, this weekend I was lucky enough to be one of 8,000 people at Gampel Pavilion cheering the UCONN Huskies Women's Basketball Team on to their latest victory. We in Connecticut are thrilled that this dream season continues as this dream team advances to the final four.

Rebecca Lobo, the Naismith player of the year and Husky coach, Geno Auriemma, Naismith coach of the year, led this team to an almost unbelievable undefeated season. Although their most recent victory was not quite the 35-point average margin of victory that they were used to, the proved to themselves and to us that through their composure, grit, and drive, they were able to overcome the nerves and the pressure that come with the final big games.

This performance showed us just what a world-class team looks like. On behalf of myself and the entire State of Connecticut best of luck to the UCONN women as they follow their dream to Minneapolis. Go Huskies.

MEMBERS OF CONGRESS SHOULD RETURN HOME AND MIX WITH THE PEOPLE

(Mr. BRYANT of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRYANT of Tennessee. Mr. Speaker, another world-class women's team is the University of Tennessee. Go Vols.

Mr. Speaker, I rise to speak in favor of term limits as a freshman Congressman who has been here 2 months and who has pledged to my district that I will limit my stay to 12 years. I have taken voluntary term limits.

Mr. Speaker, the case for term limits is a simple one. As one of the Founding Fathers, Roger Sherman of Connecticut, put it, members of the legislature, ''ought to return home and mix with the people.'' He warned that if they did not, ''they would acquire the habits of the place, which might differ from those of their constituents.''

How right he was. Once in office a survival instinct takes hold and nothing becomes as important as winning the next election. Members forget why they were sent to Washington.

Mr. Speaker, term limits have been bottled up for years by the Democratic leadership, but it will finally come to the House floor today. But it will not pass unless we convince about half of the Democrats to vote with the over 80 percent of the Republicans to support term limits.

I would hate to see term limits fail because of a lack of support from my colleagues on the Democratic side. We need only 50 percent of them to vote with us on this. Let us not let term limits fall victim to a lack of bipartisan effort. Let us seize the moment. Let us pass term limits.

GOLDEN GRAB AWARD TO BE ANNOUNCED TODAY

(Mr. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, some days back I announced an award which I give from time to time. It is entitled ''The Golden Grab,'' a hand extended outward with palm up. This is an award which I will be giving to people in the defense business who are unfaithful to their contracts, who charge too much, who fail to be responsible in terms of meeting their deadlines; to Government officials who fail to properly carry out their responsibilities.

This is an award dedicated to those who disregard their responsibilities to the people of the United States.

I will give the first award on April 1, on April Fools Day. I will give it to a class of persons who are particularly deserving of this award. I will be shortly announcing the first honoree of honorees.

I urge my colleagues to be present to note who will be receiving the Golden Grab Award, a golden hand, palm up, hand outstretched to receive things to which the individual is not entitled at the expense of the public.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TORKILDSEN). All time for 1-minute remarks has expired.

TERM LIMITS CONSTITUTIONAL AMENDMENT

The SPEAKER pro tempore. Pursuant to House Resolution 116 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the House Joint Resolution, House Joint Resolution 73.

□ 1141

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of joint resolution (H.J. Res. 73) proposing an amendment to the Constitution of the United States with respect to the number of terms of

office of Members of the Senate and the House of Representatives, with Mr. KLUG in the chair.

The Clerk read the title of the joint resolution.

The CHAIRMAN. Pursuant to the rule, the joint resolution is considered as having been read the first time.

The CHAIRMAN. Under the rule, the gentleman from Florida [Mr. CANADY] will be recognized for 1½ hours, and the gentleman from Michigan [Mr. CONYERS] will be recognized for 1½ hours.

The Chair recognizes the gentleman from Florida [Mr. CANADY].

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a historic day. Since the convening of the first Congress on March 4, 1789, more than 180 term-limit proposals have been introduced. Until today, however, there has never been a debate or vote on a term limits measure in the U.S. House of Representatives. Today's debate is long overdue.

We are taking up this important issue today because an overwhelming majority of the public supports—and is demanding—term limits for Members of Congress. This past November, the voters of 7 States adopted or strengthened limits on terms for Members of the U.S. House and Senate, bringing the number of States with congressional term limits to 22. Twenty-one of those States have imposed term limits through ballot initiatives—with the people speaking directly and unequivocally in favor of term limits.

It is clear that voters want more than the party in power to change. The people want the power structure in Washington to change. The American people know that there is too much power here in Washington intruding upon their lives and restricting their ability to make intelligent common sense decisions about how best to solve their own problems.

The executive branch is huge and imposing. The judiciary is intrusive, and the Congress continues to create a larger body of law for the executive branch to enforce and the judiciary to interpret.

It is an unfortunate consequence of long-term service in Congress that Members, even those with the best of intentions, too often begin to think that the power of the Federal Government can be used to solve every problem. The longer a Member stays in Washington, the more likely the Member will view Washington as the fount of all wisdom.

There are enough people in Washington who think the Government can solve everyone's problems. This Nation needs representatives who have a fresh outlook and the necessary real-world experience to solve problems—many of which, ironically, have been created by the overreaching of the Federal Government.

Congress has become too much like a permanent class of professional legislators who can use the powers of the Federal Government to perpetuate their own careers. There are many incentives which combine to turn Members of Congress into career legislators. Term limits will break the power of entrenched incumbency. It will give us representatives who put serving the interests of the people and advancing the good of the Nation ahead of perpetrating their own legislative careers.

The American people want a more competitive electoral system. That is one important reason the public so strongly supports term limits.

While the 1994 elections changed the party in control of the Congress, the overwhelming power and the benefits of incumbency remained. Ninety percent of House incumbents who sought reelection were successful. Of those incumbents who lost, half had not gained the full advantages of incumbency because they had only served one term. In the Senate, 92 percent of the incumbents who ran for reelection were successful.

The American people also want to rein in the Federal Government. That's another major reason the people keep pushing for term limits on Members of Congress.

Term limits would reduce the power of the Federal Government by eliminating the permanent class of career legislators—reducing the power of incumbency and seniority and making legislators more responsive to the interests of the American people. Term limits would restore a sense of proportion to politicians, and therefore to the Federal Government.

Some argue that term limits will undermine effective and responsible Government—that term limits in effect will turn the Congress over to a gang of amateurs.

I believe that these critics misunderstand the true meaning of representation in a democracy such as ours. Their arguments are eloquently refuted by Daniel Boorstein, the historian and former Librarian of Congress, in an essay entitled, ''The Amateur Spirit and Its Enemies.'' Mr. Boorstein writes:

> The true leader is an amateur in the proper, original sense of the word. The amateur, from the Latin word for ''love'', does something for the love of it. He pursues his enterprise not for money, not to please the crowd, not for professional prestige or for assured promotion and retirement at the end—but because he loves it.
>
> Aristocracies are governed by people born to govern, totalitarian societies by people who make ruling their profession, but our representative government must be led by people never born to govern, temporarily drawn from the community and sooner or later sent back home.

Mr. Boorstein goes on to conclude:

> The more complex and gigantic our government, the more essential that the layman's point of view have eloquent voices. The amateur spirit is a distinctive virtue of democracy. Every year, as professions and bureaucracies increase in power, it becomes more difficult—yet more urgent—to keep that spirit alive.

By enacting term limits we will be doing our part to keep alive this distinctive virtue of democracy. We will make certain that representatives understand the needs and wants of the people because they will have been a part of their world—living and working among them—without the privileges and trappings which elevate and isolate career politicians.

Members will come to Washington knowing that they will not be able to establish permanent careers here. Members will come to Washington to serve their districts and the Nation—not to become part of the Washington establishment.

That is what the people of this country want. That's the kind of system they yearn for. And that is the kind of system they deserve.

As Members of this House it is our responsibility to listen to the American people. This is their Government. They pay the taxes. They fight the wars. How can we in good conscience turn a deaf ear to their demand for term limits? How can we ignore the unequivocal message that comes to us from all across this great land?

How can we stand in the way of the change that overwhelming majorities have supported in State after State?

The issue before this House today is this: Will we or will we not listen to the people of the United States?

I urge my colleagues to listen to the people and to support the constitutional amendment limiting congressional terms.

□ 1145

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, for purposes of debate only, I yield 30 minutes to the gentleman from Connecticut [Mr. SHAYS], and I ask unanimous consent that he be able to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Chairman and my colleagues, we have now reached that point in time in the plank of the Republicans' Contract With America which seeks to turn the Congress against itself. Like many of the other provisions of the much ballyhood contract, Mr. Chairman, the proposed term limits amendment has really very little to do with substance. Like the balanced budget amendment and the line-item veto, this debate concerns mere procedure more than anything else. It does nothing to create more jobs, nothing to increase our citizens' standard of living, and nothing to reduce our trade deficit.

Collectively these Republican procedural proposals say to the American

people in effect that we, the Congress, can no longer be trusted to govern this country, that we must give the courts the power to balance the budget, and the President the power to cut spending, and today the Republicans would have us say that we cannot even trust the Members of this body to handle what little legislative responsibilities may remain with us as the second branch of Government. The irony is that these transfers in power from the legislative branch are being proposed at the very time the Republicans have achieved majority status.

Well, I must respectfully disagree with those who say Congress is incapable of legislating, and, while this may be a radical idea, I continue to have faith in the scheme of Government that was laid out in our Constitution more than 2 centuries ago. The Founding Fathers considered this question, and they unanimously rejected term limits at that time. I fully agree with James Madison who wrote that term limits ''would be a diminution of the inducements to good behavior * * * [and the Nation would be deprived] of the experience and wisdom gained by an incumbent.''

Mr. Chairman, I ask, where else is experience trashed as it will be during this debate? Where else will people who have gained from working on the job, who are being reelected and confirmed in their office on 2-year-period intervals, would such a notion as this be considered worthy of all the attention and furor that it will shortly receive?

I also continue to have faith in the fundamental good judgment of the American voters who have already the power to impose term limits. We face the voters every 2 years; does anyone in this Chamber need to be reminded of that? The Senators, every 6 years. I do not think it a good idea to deny these voters the right to elect the person that they think best represents their interests, even though he or she may have received their support in years prior. This would turn the very basic principle of democracy on its head.

I think the voters of Texas knew what they were doing when they reelected Sam Rayburn year after year after year, and the people of North Carolina knew what they were doing when they repeatedly returned Sam Ervin to office. His wise counsel and well-reasoned judgments helped steer this country through a dangerous Constitutional crisis that I recall very vividly. And what Member would have wanted to deny the voters of Florida the opportunity to reelect Claude Pepper so that he could fight for Social Security and health care benefits?

May I also remind those who support term limits that the notion of a career Congress which they decry so vehemently is more myth than anything else. Membership in the House and the Senate is remade ever decade. In the early 1980's, a full three-fourths of Senators and Representatives had served less than 12 years, and more than one-half of the current Members of the House at this moment were elected on or after 1990.

So, the best safeguard we have against rampant special interest abuse are the Members who have been around long enough to know the ropes and know where the bodies are buried. If the voters understood that the effect of term limits would be a massive transfer of power to the permanent bureaucracy of congressional and executive branch staff as well as to corporate and foreign lobbyists, they might not be quite so enamored of the idea. Given a choice between an elected official beholden to the voters and an unelected bureaucrat, I think the voters would prefer to place their trust in the elected official every time.

Term limits are the worst possible example of cheap bumper sticker politics run amok. We have spent enough time kicking ourselves in the face and looking to other branches of government to solve our problems, and I say to my colleagues on both sides of the aisle, let's stop wasting time with these procedural distractions and return to the business of running the country and improving the lives of citizens that we claim to represent.

Mr. Chairman, I reserve the balance of my time.

Mr. CANADY of Florida. Mr. Chairman, I yield 4 minutes to the gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN. Mr. Chairman, I rise to speak against term limits, and I thank the gentleman from Florida for yielding me this time.

I realize that term limits are very popular, and that they will receive a very large vote in favor here today.

I realize that in some ways I am tilting at windmills here. But I also know that very few people realize how much turnover is already occurring in this body.

The people have elected 203 new Members in just the last 2 years. Let me repeat that: 203 Members—almost half the House—have begun their service just since January 1993.

There were 110 freshmen elected 2 years ago—and 6 more in special elections in between—and 87 more freshmen in the last election.

If ever there was a proposal that corrected a problem that does not exist, term limits must be that proposal.

Of all the truly serious problems this country faces, turnover in the Congress is not one of them.

Not only are we having record turnover in the Congress, that same thing is happening in the elective offices all across the Nation. So I emphasize once more—term limits correct a problem that does not exist.

Second, term limits simply fly in the face of common sense. In no other area do we regard experience as a bad thing.

Does it make sense to go to a great teacher, or nurse, or architect, or whatever, and say, ''We know you are doing a great job, but you have been here 6 years, or 8 years, so your time is up.''

Electing good new people to office makes sense. Re-electing people who are doing good jobs makes sense.

Establishing arbitrary term limits—which everyone admits will force many outstanding people out of office—just does not make sense.

Third, we would have lost some of the greatest service ever performed for this Nation if we had already had term limits.

Senator Howard Baker from my State could not have served as the leader of the Senate—probably some of his greatest service to the country.

NEWT GINGRICH could not now be Speaker, because he is in his 17th year of service.

Roll Call, the newspaper that covers the Congress, pointed out Monday that Great Britain would have been deprived of the service of Winston Churchill during World War II.

Fourth, term limits were specifically considered and rejected by our Founding Fathers.

I am one of the most conservative Members of this House. I know that most conservatives support term limits.

But there is nothing conservative about term limits. These are very radical proposals. They would change over 200 years of constitutional history and precedent.

More importantly, they are very undemocratic—with a small ''d''. They really take away another right of our people—the right to vote for whomever they please.

Fifth, and finally, term limits will strengthen the power of the unelected—the bureaucrats, the lobbyists, the committee staffs.

We already have a Government that is of, by, and for the bureaucrats, instead of one that is of, by, and for the people. Term limits will make this situation worse.

Term limits have risen as an outcry against a big, wasteful, intrusive, bureaucratic Government.

The people have the intelligence and good sense to know who is voting for big Government and who is not.

The best way to bring about effective change is the old-fashioned way—through our electoral process that has served this country so well for so many years.

The worst possible thing to do now, during a time of great change anyway, is to try out some radical, arbitrary gimmick like term limits, which corrects a problem that does not exist.

□ 1200

Mr. CONYERS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Illinois [Mr. GUTIERREZ], who, although he is not a member of the committee, has done an outstanding job in working on this subject.

Mr. GUTIERREZ. Mr. Chairman, I rise this morning aware of the fact

that there are many different audiences listening.

There is the audience in this House—Members who have various opinions about this issue, who feel strongly about the debate we are having, who have studied the pros and cons.

There are some—like my friends on this side of the aisle like Mr. CONYERS—who have gone about it the right way.

They have taken a close look at the legal opinions.

They have taken a close look at the Constitution that we live by.

And, more importantly, they have taken a close look within themselves and their own conscience to decide whether they support term limits.

Like them, I have decided that I cannot support term limits as they have been written by the Republicans.

Unfortunately, there are others in this Chamber—mostly on the other side of the aisle—who have decided to look at public opinion polls rather than look at the Constitution.

They have watched focus groups rather than focus on the real impact of this resolution.

They have decided to listen more closely to the angry voices of talk radio rather than the subtle, eloquent, and ancient voices of our Founding Fathers who thought that the people had the right to decide whom to elect to Congress.

In fact, the Founding Fathers did—in their wisdom—write term limits into the Constitution. Term limits that work.

Every 2 years, your term is up. You want an extension, you go to the people—the people—and ask for their approval.

Now, it is obvious that the Republicans understand that reality. They realize that they need to be reelected. Otherwise, we would not have the ranting and raving and pandering and posturing that you are going to hear from them today.

So I very much want to speak to my colleagues here today, and engage with them in a meaningful debate.

Meanwhile, thanks to the magic of cable television, there is an audience all around the country with whom I can speak this morning. There are people in my district in Illinois listening and watching.

And for them I am taking a stand against fake phony term limits.

But, there are also people in districts far away whom I would also like to address.

I would like people in districts like Florida's Eighth District to listen closely. Not just to my words, but to those of your own Representative.

Now, I hope you do not think I am picking on your Congressman, Mr. MCCOLLUM. I trust that you sent him here with some good reason.

But, Mr. MCCOLLUM has thrust himself into this term limits debate. He has done so with some intensity.

And all I can say is, when you do that—when you start slinging arrows, do not be surprised when one comes back at you.

So, here it comes.

He, MCCOLLUM, is a chief sponsor of a bill to limit Members to term of 12 years.

He, MCCOLLUM, was elected in 1980.

It is now 1995.

Now, you do the math, and you figure out that if Mr. MCCOLLUM really believed what he said, there would be a very simple way for him to enact the 12-year term limits. Walk away.

Now, you might be inclined to think that Mr. MCCOLLUM will at least support the amendment that I will speak on later today to make term limits retroactive.

Nope. Not him.

Even so, let us just listen to the words of Mr. MCCOLLUM, who today is proud to tell us that he sponsors a resolution for a 12-year term limit.

He said: ''Those of us who believe in term limits * * * need to stay longer, unfortunately, because the system is the way it is.''

If you have been here that long, you are the system. You are the system that you say needs changing.

Now, let us go on, because there is also an audience in the Sixth District of Georgia listening to me.

Today I want to send a special message to them.

I want to inform you that your Congressman, Mr. GINGRICH—whom you first elected in 1978—supports limiting members to 12 years of service.

In a press conference endorsing the 12-year limit, the Speaker, now in his 17th year, said: ''The balance of power in favor of professional politicians as incumbents * * * has made a mockery of the process of open elections.''

So, that must mean that each election held in Georgia's Sixth District since 1990—when Mr. GINGRICH's 12 years were up—has been a mockery.

If I lived in Georgia, I would be concerned to hear that I had voted in a mockery of an election. In fact—three of them, since 1990.

Now, I have heard a lot of people talk about the Speaker and his problems with GOPAC.

Well, today, I am not going to talk about GOPAC.

But I am going to say go back, as in go back to Georgia, because the 12-year limit that you want to impose on everyone else has long ago passed for you.

Go back, as in how do you go back to your district every week—and I know that he does, because I see him on t.v. teaching that course on ''Saving the Western World'' or whatever it is called—but, how do you go back to your district every week and tell folks that you support a 12-year limit, but you are going on serving well beyond that.

No, I am not going to say GOPAC but I am going to say go back—as in how do you go back on your word, Mr. Speaker?

Mr. GINGRICH said that without these changes, the congressional campaigns are a ''mockery''.

Well, thanks to his Republicans and their empty term limits rhetoric, they are making mockery of Congress.

What is a mockery?

The dictionary says ''an action of ridicule * * * false * * * and imitation.''

That is what today's debate is.

Ah, but there is an answer.

A way to ensure that the political power in this country is given back to the people who deserve to have it. The men and women who work hard and play by the rules.

And that is with serious, substantive campaign finance reform.

Campaign finance reform insures that an incumbent must earn—and continue to earn—his or her seat in the body, rather than act like they own it.

Nobody owns a seat in this House.

But, as long as we debate phony issues like term limits, and avoid real issues like campaign finance reform, we make it possible for lobbyists and big-dollar contributors to own Members.

In their contract, this was part of the Republicans' so-called Citizen Legislature Act.

You want a legislature that belongs to the citizens? Good. Let us put limits on the time we spend raising money and hustling for votes.

Campaign finance reform is the answer.

Term limits is not.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair wishes to remind our visitors in the gallery that no expressions on their part are allowed.

Mr. SHAYS. Mr. Chairman, to begin the debate, I yield 4 minutes to the distinguished gentleman from New York [Mr. KING], one Member who is strongly opposed to term limits.

Mr. KING. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in total opposition to term limits. I oppose term limits because they are undemocratic and because they represent the ultimate in elitism.

For someone from some other part of the country to come to my district and tell my voters they cannot vote for me just because I happen to have been in office for 6 years or 8 years or 12 years is the ultimate insider mentality. They are saying that they know more than the average voter in the average district around this country. Perhaps in their districts people want to elect part-time farmers or barnyard philosophers. That is fine. Let them elect those people. Let them send them here to Congress. But my point is that it is up to each voter in each district to decide what person they want to elect to Congress.

I must say that while it is very seldom that I agree with my friend, the gentleman from Illinois [Mr.

GUTIERREZ], there is a lot to be said for the logic of retroactivity. My feeling is that we should only amend the Constitution if it represents an ultimate truth, something about which there can be no debate. For instance, the 13th amendment abolished slavery. Now, would those who favor term limits have followed the logic in the 1860's of saying, ''I am opposed to slavery, but I'm not going to free my slaves until the amendment is adopted'' or ''I'm going to continue being a slave holder because the 13th amendment isn't adopted yet''?

Of course not. If it is wrong, if it is immoral, if it somehow tears away at our country not to have term limits, then lead by example—go home, because otherwise what you are saying is that this is just a political issue that we use to get elected. And as a Republican, I am very, very concerned about this entire pernicious pattern of pandering and posturing by Members who seem to have an unquenchable quest or an unquenchable thirst for self-flagellation. It is part of an overall pattern where they are denouncing everything about the Congress, denouncing being a politician, denouncing being a person committed to making change in government.

My feeling or my strong belief is that those of us who say we want change, what we are really doing, those of us who support term limits are saying that the voters in the districts are not smart enough to elect the proper Members to Congress. and what could be more elitist, what could be more anti-democratic, what could be more of an inside-the-beltway mentality than to be denying the voters of individual districts the right to elect the Members of their choice?

Just think, I say to the Republicans, my fellow Republicans, of some of the outstanding Members who would not have been elected if we had had term limits. The voters of Ohio would not have been allowed to reelect Robert Taft to his third term in the U.S. Senate. The voters of Illinois would not have been able to elect Everett Dirksen. The voters of Kansas would not have been allowed to reelect ROBERT DOLE. And on the Democratic side, outstanding leaders such as Sam Rayburn would not have been allowed to return to Congress because someone in Washington said that it is wrong for the people in Texas or Ohio or Illinois to select the person they want to represent them in Congress.

I am probably the last person in this body who could be accused of being an Anglophile. However, the point is made about Winston Churchill. He was a man who served over 40 years in the British Parliament. Are we saying it was wrong or that it was immoral for Winston Churchill to be in the Parliament at the time of World War II?

Who among us would be better qualified? Would it have been that part-time farmer from some State? Would he have been a better Speaker? Maybe he would have, but let the voters in that district decide.

Also one of the main arguments that we have used against Congress in our incessant campaigns against Congress has been the fact that staffs are too powerful. Nothing could make staffs more powerful than to have Members rotating in and out and having a permanent unelected body of staff deciding the legislation, deciding the procedures, deciding the process.

I strongly believe that for a Congress to be effective we need a whole range of Members in this Congress. We need the institutional memory of someone like a HENRY HYDE or a JOE MOAKLEY.

The CHAIRMAN. The time of the gentleman from New York [Mr. KING] has expired.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 30 additional seconds to the gentleman from New York [Mr. KING].

Mr. KING. Mr. Chairman, I will take the 30 seconds from Mr. SHAYS.

Mr. FRANK of Massachusetts. Mr. Chairman, I would point out to the gentleman that Mr. SHAYS got the 30 seconds from us, so if he wants to go through the middleman, he is entitled.

Mr. KING. I have enough trouble with my own party. It is easier if I get it from Mr. SHAYS.

Mr. Chairman, I thank the gentleman from Massachusetts [Mr. FRANK] very much for his munificence.

In conclusion, Mr. Chairman, to be a real representative body what we need is a wide range of elected officials, but we should not be imposing our will on who those elected officials are. It should be the genius of the American people to decide that we need a person of experience like a HENRY HYDE and we need a person like my good friend, the gentleman from South Carolina, Mr. BOB INGLIS who is going to be gone in 3 years. But that is up to the people to decide, not for us to say who should be changed or who should not be changed. Let the American people decide that. They decided that in 1994 when they overwhelmingly rejected Democrats and elected Republicans. We are our own best argument against term limits.

Mr. CANADY of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina [Mr. INGLIS].

Mr. INGLIS of South Carolina. Mr. Chairman, I thank the gentleman for yielding me the time, and I rise today to mark this historic occasion of finally having the opportunity to discuss, debate, and vote on term limits on the floor of the House of Representatives.

What a wonderful day it is. After a long time working for this, we finally get the opportunity. It is a great thing. What a difference an election can make.

In the last Congress we had a Speaker who sued us in the State of Washington to prevent us from enacting term limits. This time we have a Speaker who is working with us to bring this to a vote.

I rise today, Mr. Chairman, to point out the basic case for term limits and then to answer several of the objections.

First, the basic case: The average American, as the Members can see here by my chart, keeps his or her job 6 years. The average Member of Congress keeps his or her job 8 years. That is not terribly long, and a lot of speakers will point out that some 200 Members are relatively new.

But here is the critical statistic: The average Members of the leadership who we all know run this place have kept their jobs for an average of 22 years. This tells the story of why we need term limits.

Let me point out another chart that tells the story of why we need term limits. Of course, we had all this discussion, and we will hear plenty of it today from the opponents of term limits, about the fact that we have had such a massive turnover in this body. But let us ask where the turnover came from. The turnover came from open seat elections. Relatively few Members have lost their attempts to be elected, and let me show that to the Members by this chart.

□ 1215

In 1990, 96 percent of those who wanted to come back came back. In 1992, it went down a little bit. 88 percent of those who wanted to come back came back. In 1994, the election that got us this management change, and I am very thankful, as I just stated, for that management change, because now we have an opportunity to debate term limits, 90 percent of those of us who wanted to come back were reelected. That I think tells the story of a permanent Congress, a Congress that becomes out of touch with the people back home.

Now, about the issue of what the States have done, as you can see here, some 22 States have decided to limit terms. That I think is an indication of the strength of support out there and why it is that this is finally long overdue and now thankfully on the floor of the House of Representatives.

In the time that remains, let me address a couple of the major objections to term limits. First, the bureaucracy will run the place. Let me ask the other Members of Congress today to address this question. If you are talking civil servants, there is no way a Member of Congress can deal with a civil servant. How about your personal staff and how many do you have on your staff? I have got 15, and 2 part-time folks. The people at home direct a whole lot of people. In small businesses they may have 100 people they direct. In big corporations they may have thousands of people they direct. So we cannot make too much of our job here.

Let us not think too highly of ourselves. It is a relatively small operation. There are only 15 or so in our offices, 18 if you have the full complement and spending all the taxpayers' money and 4 part-time people. It is a small operation. Let us be honest.

So the bureaucracy, you cannot control the civil servants now, except by controlling their appropriations. You can control your own office, because there are so few people in there.

Now, second objection: We are going to lose talent. How are we going to lose the talent? If a talented Member of this House wants to run for Governor, nobody in the term limit effort begrudges them that. We would encourage them to run for Governor. If a talented Member of the Senate wants to run for President, we encourage them to run for President. We are not going to lose the talent; we are going to redirect it. All the folks we are hearing about we are going to lose, they might be the President of the United States if we forced them out of here, or might be a great Senator, or maybe a Governor. We will force them over there.

The third objection that my good friend just mentioned speaking before me is do not tell my people who they can vote for. Do not limit their choices. Well, who are you speaking for? Eighty percent of the American people want term limits. They told you that. They tell you every town meeting. They tell you in every poll taken in your district. Who are you speaking for? The 20 percent?

They are giving you a message. They want to limit you. They are just being fairly polite about it by not telling you to your face, but they are telling you in every opinion poll 80 percent of us want term limits.

So when you stand here and say do not tell my people how they cannot reelect me, they are trying to tell you they do not want to reelect you after a period of time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2½ minutes to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would like to talk about term limits, and maybe debunk some of the myths that have been put out about why term limits are such a good idea.

Now, the first argument that you hear is that well, the majority of people like it. You just heard 80 percent of the people like term limits. Well, they have an easy solution. Do not vote for us. The fact of the matter is, the people right now have that option. All those people who do not like the incumbent can not vote for the incumbent. But if you think about it, ladies and gentlemen, the point of the matter is this is not a popularity contest. A lot of the majority at one point in time thought slavery was a good idea. You could probably get a majority today to abolish all taxes. That does not dispose of the issue. Clearly we need more thought on this issue.

Second, you hear what we need is a citizen legislature. We are all citizens. It does not matter whether you have been here 2, 10, or 20 years, we are all citizens. But my point is, being in the legislature is not a hobby. It is not a lark. It is a job with a tremendous amount of responsibility. I am going into my third year, and I have to tell you, it is an awesome responsibility, and there is a very high learning curve. You do not manage a multitrillion-dollar budget by walking in off the street.

People want to say, particularly on the Republican side of the aisle, well, you ought to run Government like a business. Ladies and gentlemen, you know, every business cherishes its talented people. There is no corporation in America that says after you have been here 6 years and begun to learn the business or after you have been managing for 12 years and things are going well, we are going to kick you out the door. It does not work that way. Yes, run Government like a business, keep talented people there. At least give them the opportunity to be retained.

Third, you hear about incumbency. First of all, there are 83 new Members in this body, so incumbents are not winning all the races. The gentleman says most of the incumbents still won anyway. Yes, people like me, who are incumbents the last time around, who were freshmen incumbents. There are over 100 in my class. Most of us did win. That is not an indictment of this system to suggest that incumbents win. That is the reasonable outcome.

Finally, there is the issue of career politicians. Let me state emphatically, there is nothing wrong with a career in politics, if you do a good job, if your people think you do a good job, and if they elect you.

Mr. Chairman, I think the people ought to have the right to select the person that they want. That is the only issue in this debate, the right of American people to decide in their individual district and their individual community if they want to retain someone or if they want to oust them. I trust the wisdom of the American people to make that decision on election day, and that is why I believe we do not need term limits.

Mr. CANADY of Florida. Mr. Chairman, I yield 4½ minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to this joint resolution, and I urge the membership to defeat each of the substitutes that will come before us later on today. Term limits, in my opinion, are a bad idea. They are anti-democratic, and I think that they will upset the balance of power and checks and balances that the Framers of our Constitution so delicately devised and which have served the United States of America so well for over 200 years.

The Constitution of the United States should not tell the voters who they cannot vote for. That is a Government law that limits the choice of the voters and tells the voters that if someone has served for 6 or 8 or 12 years, they are no longer qualified to serve in the Congress of the United States, no matter how distinguished their service has been, no matter how much they represented the viewpoints of the majority of their constituents, and no matter how honest and forthright they are. I think that is wrong.

Second, term limits will end up strengthening the hand of the executive and judicial branches at the expense of Congress. Many of the more ardent supporters of term limits say that they support limiting terms because they wish to weaken the legislative branch of Government, the Congress of the United States. But if one stops and thinks about that argument, it weakens the only branch that is completely elected by the people of this country. Every Senator and Representative is an elected official. But in the Executive and Judicial Branches, only the President is elected, and those are the two branches of Government that will become stronger proportionately as Congress is weakened by term limits.

In fact, term limits will actually make Representatives and Senators more distant from their constituents, because they will no longer have the incentive to go back home and face their people and find out what their people are thinking in order to win reelection.

The third problem with term limits is that it will effectively place control of the House of Representatives in the hands of the four largest State delegations. That means that those who represent the other 46 States, no matter how talented they are, are not going to be able to achieve the respect, to get on good committees, and to achieve the knowledge that goes with being on the strong and powerful committees, and will be relegated to serving on the committees that are of much lower priority.

I just look at my own State, where Les Aspin and DAVID OBEY, Henry Reuss and Clement Zablocki on the Democratic side, and Melvin Laird and John Byrnes and William Steiger on the Republican side have served with distinction. Buy they were never able to hit their prime until they had been here for 10 or 12 years, because they had not gotten the respect and the chits from their other colleagues in order to get into positions of influence.

Finally, term limits and changing the Constitution will not change human nature. Human beings are those who are elected by the people to represent them in the Congress of the United States. The reward for doing a good job in this business is reelection, and that is an incentive that drives us to represent our people and to go back

home and listen to what the people are saying.

I am afraid that with term limits we would become much like Mexico, which is a government that has a term limit of one term on all of their elected officials. If you do not have to go back home, then you start looking for the next job right away. Every contact with the lobbyists then becomes a contact with a potential future employer. As it stands now, no Senator or Representative starts looking for the next job until they decide to retire or the voters decide that question for them. With term limits, you are going to have people looking forward to the next job right from the very beginning. That is going to end up corrupting the system of government that we have to an even greater extent than it is now.

Please vote against term limits, uphold the Constitution of the United States, and uphold the checks and balances which have served our country so well.

Mr. FRANK of Massachusetts. Mr. Chairman, at her request, I yield 30 seconds to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, I am rising in support of the term limit bills. I introduced a term limits bill identical to the one that Oregon passed. I want to say to my Republican colleague, the gentleman from New York [Mr. KING], he said Washington should not dictate. No, Washington should not. And it is not Washington who is dictating, it is the voters. The voters of Oregon overwhelmingly voted in favor of term limits, and I support the term limits bill.

Mr. SHAYS. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Chairman, it is amazing to me that anyone can believe that if only we can correct the faulty Constitution our Founders gave us by adding term limits, all our problems will be solved.

In 1787, the American Constitution was a revolutionary document, placing, for the first time in human history, its faith in the individual judgment of ordinary people as our governing force.

Now some would abandon faith in the judgment of the people and urge an artificial restraint.

The Founders debated the issue of term limits at the constitutional convention and ultimately decided that the sole responsibility for choosing the people who would represent them should be left to the people, and not be controlled or limited by the Government. Thomas Jefferson said it best in a letter to William Charles Jarvis on September 28, 1820:

> I know no safe depository of the ultimate power of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion.

Our problems do not lie with a poorly written Constitution. They lie with our failure to live up to the trust placed in us by the Founders. The solution is not to remove the trust, but for the people to fully inform themselves and fully participate in the electoral process as the Founders envisioned. That has happened with a vengeance in the last two elections. Today, over half the House of Representatives has served less than 4 years. Congress is today a dynamic body, responsive to the people—without changing the Constitution.

Those who today urge support for term limits have it wrong. The Founders, who debated term limits extensively in 1787, got it right the first time. Leave it to the people.

Mr. CANADY of Florida. Mr. Chairman, I yield 6 minutes to the gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this is truly a historic day, the first time in the history of the U.S. House of Representatives that we are here to have a debate and vote on limiting the terms of Members of the U.S. House and Senate. It is something a lot of us have wanted to do for a long time, but we have never had that opportunity under the previous administration and the 40 years of Democrat control. But we have it here today. Now we need to take advantage of it.

We need to answer in this term limit debate two questions: Are congressional term limits a good idea; and, if so, what version is best to place in the U.S. Constitution?

The answer to the first question is clearly yes. The fact that nearly 80 percent of the American people favor term limits may alone be reason enough to enact them. But this begs the question. While there are numerous reasons for the support, the most profound go to the need to change the institution of Congress itself and the attitude of those who serve. When the Founding Fathers wrote the Constitution, they could not have foreseen the full-time year-round Congress of today. They never envisioned a Federal Government as large and complex as it is now. They viewed Congressmen as citizen legislators who spent only a couple of months every year legislating and the rest of the time at home conducting their personal business.

□ 1230

Indeed for over 100 years, most House Members served two terms or less and only in this half century has Congress become a year-round, full-time job.

The chart that I have here explains this pretty clearly. We have had a number of speakers this morning talking about the fact that we have had turnover recently in the last two elections. The problem is historically, if you look at the chart, you can see the first 100 years of the Nation, we had very few Members who served nearly as long. Now they are serving a lot longer and those in the blue line on this chart who run for reelection are being reelected overwhelmingly, very high percentages today on the far end of that chart. So statistical norms show that we are in a period of time far different from what the Founding Fathers could have envisioned.

With these fundamental institutional changes has come a change in the attitude of Members serving in Congress. Most Members have no outside earned income, and many are prohibited by law from practicing their professions. As a consequence, it is only natural that a great many Members view Congress as a career and are motivated to protect themselves from reelection challenges by far more than the simple desire to continue to serve their country. They see these facts: A seniority system which generally rewards length of service and the power of incumbents seeking reelection. Consequently many vote with the primary concern being how the vote will affect their reelection chances rather than what is best for the country.

This concern with reelection frequently translates into votes to please every interest group. Virtually every budget item has a constituency in each congressional district. The Congressman knows that if he or she votes against the wishes of that constituency he risks their votes in the next election and that the best way to get reelected is to avoid displeasing any interest group no matter its size. Votes, not campaign contributions, are the real issue. Hence, no amount of campaign finance reform will solve this problem.

Enactment of term limits is the only way to alter this attitude. With term limits in place, those coming into Congress will know that they have only a limited period of time in the House or Senate. Most will not come with a career attitude. While still concerned with reelection, inevitably there will be less conscious or subconscious pressure to vote to please every interest group. This cannot help but make balanced budgets more likely and lead to decisions more favorable to the citizenry as a whole than to a collection of interest groups.

Term limits will also mean a permanent end to chairmen who can control a committee for 15 or 20 years. It will guarantee fresh new faces and ideas regularly coming to Washington.

Of course, there will be some loss of experience and institutional wisdom. It is a necessary tradeoff. With thousands of talented Americans available to fill the shoes of those departing, the loss will not be nearly as great as term limits critics will say.

As to the choices among the term limit alternatives, the most rational approach, in my judgment, is embodied in House Joint Resolution 73 which I have offered and is the base text before us today. It provides a permanent 12-year limit on both the House and Senate with no retroactivity and silence on State preemption. To provide lower limits for the House than for the Senate would mean that the House would become a weaker body vis-a-vis the

Senate. Furthermore, a 6-year House limit does not provide sufficient time for a Member to become experienced enough to do a good job in serving as a chairman of a full committee or in a major leadership position in Congress. Shorter limits validate the critics' argument that term limits will lead to staff domination whereas 12 years virtually eliminates it.

Those who want to set a 12-year cap and leave it to the States to decide lesser limits are asking for a permanent hodgepodge of 6-, 8-, and 12-year limits throughout the Nation which in the long run cannot help but be bad public policy. It is naive to assume that all States would eventually reach a uniform norm under the 12-year cap. Political reality says that some States would always have lower limits than others. If the Supreme Court rules in favor of the States in the current pending case, such a hodgepodge could exist even under House Joint Resolution 73, but others want to give the States such a right regardless of the Court interpretation in the constitutional language. This simply does not make sense.

Some term limits supporters genuinely favor retroactivity, but most understand that in the current debate retroactivity is a mischievous tool of those who are opposed to limits. None of the 22 States that have adopted term limit initiatives have retroactivity. In Washington State where it was featured, the initiative lost, and a later one without it succeeded. As a practical matter retroactivity will cost votes on final passage and every vote is going to be needed to get to the 290 necessary to pass term limits in the House today. The retroactivity amendment will kill term limits. And I urge a vote against it.

Though the merits of each term limit proposal should be thoroughly debated, every Member of the House who truly supports term limits should put aside their differences.

And when we get, after the amending process, to vote on final passage, we need a yes vote. Better than 80 percent of the American people favor term limits, Democrats and Republicans alike are evenly divided. We are going to have 80 to 90 percent of the Republicans voting for it. If we just get 50 percent of the Democrats to do it, we can pass term limits today.

We need to have this healthy debate. Term limits are overdue. I urge a favorable vote for the final passage of term limits and this great historic debate.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself 15 seconds.

I am sorry my friend did not yield to me. As he described the terrible things that happen to the attitude of Members who have been here too long and if they have been here, especially after 12 years, I was going to ask him when in his 15 years of service this terrible thing happened to him. But I guess I will have to wait for my answer until later.

Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I thank the gentleman for the time.

I think the greatest disservice that any public official can pay to the people he represents and to the democratic system is to cynically manipulate public frustrations and to then give their voters the impression that they are pretending to be for something which they really are opposing.

I think that is happening today. I think the greatest honor a public official can do to the people he represents is to deal honestly with them, especially when he has an honest disagreement with them.

In my view, voters are being treated to a cynical charade by the way this term limit proposition is being handled in the House today. For many years, many in the Republican leadership have told the public that they are for term limits in order to get votes, but then they unexpectedly came into power. They find themselves now in control, and they now have to produce what they promised.

Does anybody really believe that a Member who has served 16 years is sincere in saying that he is for term limits when he continues to file for reelection every 2 years? If they were sincere, it seems to me all they would have to do is to demonstrate that sincerity by simply deciding not to run again.

The process today, in my view, is designed to kill term limits. It allows Members to pretend that they are opposed to term limits by voting for any one of the four propositions before the House. But because there are four propositions rather than one, procedurally you virtually guarantee that there will be insufficient votes for any one of the four, thus enabling people to go home and say, ''Oh, I voted for term limits, but * * *''

It just seems to me that that is a charade which does the public no great service.

I would also point out that the main term limits amendment does not even apply to most senior Members of this House, such as myself. It is a ''let's pretend'' term limit. It takes place only in the hereafter. It does not take place in the here and now. To me that is a measure of its unreality.

I oppose the concept of term limits because I took an oath to uphold the Constitution. I take that oath seriously. I honestly believe that if these proposals pass, from the day Members walk into this institution they will be on the lookout and they will be shopping for their next job. As my colleague, the gentleman from Wisconsin [Mr. SENSENBRENNER], said, every time a lobbyist walks into their office, they will be looking at that lobbyist as a potential employer in a few short years. I do not think you want to do that to this institution.

I believe the public ought to have a right to vote for anybody they want, without the benefit of social engineering by would-be constitutional scholars in this House.

I believe term limits would allow bureaucrats whose favorite weapon is inertia to simply try to out wait any aggressive committee chairman. Whenever they are in conflict with the committee, they will simply say to their agency people: ''Do not worry about it, just stall and we will out wait them.'' Most of the time they would win under these propositions.

I also believe that small States like mine would very seldom be able to see Members of their delegation rise to chairmanships because if there were no long-term development of seniority, I think the large States would simply divide up the major chairmanships and the major committee assignments for themselves.

I would like to pay tribute in this debate to people like the gentleman from Illinois [Mr. HYDE], not because he agrees with me but simply because he is true to his conscience and is not engaged in a cynical double game. He does the country honor by playing it straight. And in my view, he does that on virtually every issue that is before the House. That is why I think he is a very valuable Member for the House and that is why I believe that if we had more like him, we would not be engaged in this charade today.

So I would simply say, let us not really even give credibility to this ''let's pretend'' process. We all understand that many of the sponsors of this proposal are in a very uncomfortable position. They promised something they never dreamed they would have to deliver on, and now I think we have an elaborate charade to pretend that they tried.

I do not think that does any real service to the American people. I think we ought to play it straight and lay out our views on this issue honestly. That is what I think the gentleman from Illinois has done today.

Mr. CANADY of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. HOKE].

Mr. HOKE. Mr. Chairman, I thank the gentleman from Florida for yielding time to me.

I stand up in strong support of term limits. I want to address some of the remarks that I have heard here this morning, specifically the suggestion that this is a cynical attempt on the part of House Republicans to fulfill something that they never intended to have happen in the first place.

Nothing could be further from the truth. The fact is there is a cynical amendment that will be on the floor today, a very cynical amendment. And the reason that it is cynical is that it has been brought by Members, the gentleman from Michigan [Mr. DINGELL], the gentleman from Massachusetts

[Mr. FRANK], by individuals who have very publicly stated they are absolutely opposed to term limits. And they are bringing this amendment with retroactivity in the belief that it will somehow embarrass and that it will somehow create problems for our side.

But the reason that it is cynical is that they have absolutely no intention whatsoever of voting for it on final passage. Let us say that under these queen of the hill rules the Dingell amendment actually gets the most number of votes. The question is, are they going to then vote for it on final? I wanted to be able to ask that question of the gentleman from Illinois [Mr. GUTIERREZ]. I looked for Mr. GUTIERREZ, he spoke glowingly of the Dingell amendment. He spoke disparagingly of all three of the Republican amendments. Is Mr. GUTIERREZ going to vote on final in favor of the Dingell amendment if that gets the most number of votes?

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. HOKE. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, if the gentleman from Illinois [Mr. GUTIERREZ] were, would that change the gentleman's opinion of what is going on?

Mr. HOKE. Mr. Chairman, it would change my opinion with respect to Mr. GUTIERREZ, sure, it would. I would think that that is not cynical. That is not hypocritical. . . .

Mr. DINGELL. Mr. Chairman, I demand that the gentleman's words be taken down.

The CHAIRMAN. The Clerk will report the words objected to.

□ 1243

Mr. HOKE. Mr. Chairman, I ask unanimous consent to withdraw those specific words.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. DINGELL. Reserving the right to object, Mr. Chairman, what words was it the gentleman would like to withdraw?

Mr. HOKE. Mr. Chairman, I ask unanimous consent to withdraw the word hypocritical.

Mr. DINGELL. What about the word cynical?

Mr. HOKE. In reference to you directly, Mr. DINGELL, ''cynical.''

Mr. DINGELL. Did the gentleman also wish to apologize?

Mr. HOKE. No, I did not.

Mr. DINGELL. He did not wish to apologize. Then I object.

The CHAIRMAN. Objection is heard.

The Clerk will continue.

The Clerk will report the words.

The Clerk read as follows:

I had specific conversation with the gentleman from Michigan, and he stated to me very clearly that it is his intention to vote against this bill on final. Now, if that is not a cynical manipulation and exploitation of the American public, then what is? What could be more cynical? What could be more hypocritical.

The CHAIRMAN. The Committee will now rise.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TORKILDSEN) having assumed the chair, Mr. KLUG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution, (H.J. Res. 73) proposing an amendment to the Constitution of the United States with respect to the number of terms of office of Members of the Senate and the House of Representatives, certain words used in debate were objected to and on request were taken down and read at the Clerk's desk and he does now report the same to the House.

The Clerk will report the words objected to in the Committee of the Whole House on the State of the Union.

The Clerk read as follows:

I had specific conversation with the gentleman from Michigan, and he stated to me very clearly that it is his intention to vote against this bill on final. Now, if that is not a cynical manipulation and exploitation of the American public, then what is? What could be more cynical? What could be more hypocritical?

The SPEAKER pro tempore. In the opinion of the Chair, ascribing hypocrisy to another Member has been ruled out of order in the past, and is unparliamentary.

Without objection, the words are stricken from the record.

There was no objection.

Without objection, the gentleman may proceed in order.

Mr. DINGELL. Reserving the right to object, Mr. Speaker. I have been waiting for an apology from the gentleman. I know he wants to apologize and does not want to leave these things on the record, because I am sure he realizes that it reflects unfavorably upon him, as it does upon me, so I am waiting for the apology. I know the gentleman wants to give it to me.

Mr. HOKE. Mr. DINGELL, I very clearly stated that I ask unanimous consent to withdraw my words, and I requested that that be done. You objected to that.

Mr. HOKE. I have told you on the Record that I will not apologize.

Mr. DINGELL. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The question is: Shall the gentleman be allowed to proceed in order?

The question was taken; and the Speaker pro tempore announced that they ayes appeared to have it.

Mr. CONYERS. Mr. Speaker, I object to the vote on the grounds that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 212, nays 197, answered ''present'' 2, not voting 23, as follows:

[Roll No. 273]

YEAS—212

Allard
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hobson
Hoekstra
Hoke
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Packard
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—197

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Barton
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)

Frost	Martinez	Rose
Furse	Mascara	Roukema
Gejdenson	Matsui	Roybal-Allard
Gephardt	McCarthy	Rush
Geren	McDermott	Sabo
Gibbons	McHale	Sanders
Gonzalez	McKinney	Sawyer
Gordon	McNulty	Schroeder
Green	Meehan	Schumer
Gutierrez	Meek	Scott
Hall (OH)	Menendez	Serrano
Hall (TX)	Mfume	Shays
Hamilton	Miller (CA)	Sisisky
Harman	Mineta	Skaggs
Hastings (FL)	Minge	Skelton
Hefner	Mink	Slaughter
Hilliard	Mollohan	Spratt
Hinchey	Montgomery	Stark
Holden	Moran	Stenholm
Hoyer	Murtha	Studds
Jackson-Lee	Nadler	Stupak
Jacobs	Neal	Tanner
Johnson (SD)	Oberstar	Tauzin
Johnson, E.B.	Obey	Taylor (MS)
Johnston	Olver	Tejeda
Kanjorski	Ortiz	Thompson
Kaptur	Orton	Thornton
Kennedy (MA)	Owens	Thurman
Kennedy (RI)	Pallone	Torres
Kennelly	Pastor	Torricelli
Kildee	Payne (NJ)	Towns
Kleczka	Payne (VA)	Traficant
Klink	Pelosi	Tucker
LaFalce	Peterson (FL)	Velazquez
Lantos	Peterson (MN)	Vento
Laughlin	Pickett	Visclosky
Levin	Pomeroy	Volkmer
Lewis (GA)	Poshard	Ward
Lincoln	Rahall	Waters
Lipinski	Rangel	Watt (NC)
Lofgren	Reed	Wilson
Lowey	Reynolds	Wise
Luther	Richardson	Woolsey
Maloney	Rivers	Wyden
Manton	Roberts	Wynn
Markey	Roemer	

ANSWERED ''PRESENT''—2

Gunderson	McHugh

NOT VOTING—23

Archer	Hilleary	Scarborough
Bliley	Horn	Schaefer
Brown (FL)	Jefferson	Souder
Clay	Lazio	Stokes
Collins (IL)	Moakley	Waxman
de la Garza	Oxley	Williams
Gekas	Parker	Yates
Hayes	Saxton	

□ 1308

Mr. MURTHA, Mr. EDWARDS, Ms. KAPTUR, and Mr. HILLIARD changed their vote from ''yea'' to ''nay.''

Mr. MCHUGH changed his vote from ''nay'' to ''present.''

So the gentleman from Ohio [Mr. HOKE] was allowed to proceed in order.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRIES

Mr. DURBIN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the nature of his parliamentary inquiry.

Mr. DURBIN. Mr. Speaker, I would like the Chair to clarify the vote that was just taken. It is my understanding that words were taken down, words uttered by the gentleman from Ohio [Mr. HOKE] and those words were determined by the Speaker to be out of order. At which point, if I recall correctly, the words were stricken, and the Chair stated a unanimous-consent request that the gentleman be able to proceed.

There was objection to that unanimous-consent request, at which point, if I am not mistaken, the Chair then stated a motion to give the gentleman the opportunity to proceed and speak.

Is my recollection correct, is that the motion which we just voted on?

The SPEAKER pro tempore (Mr. TORKILDSEN). The gentleman's recollection is correct.

Mr. DURBIN. Mr. Speaker, I would like to ask this of the Chair then; it is my understanding that the Chair has the right under the rules to make a unanimous-consent request that an individual be allowed to proceed after his words have been stricken, but in this case I wonder if it is the prerogative of the Chair to make such a motion, or whether it should have been made by a Member of the body?

The SPEAKER pro tempore. The Chair has the right to entertain unanimous-consent requests. Under previous rulings of the Chair in 1991, the Chair does have the right to put that question to the body.

Mr. DURBIN. Beyond the unanimous-consent request?

The SPEAKER pro tempore. Beyond the unanimous-consent request, since it is ultimately the House's decision, no Member sought to question the ruling of the Chair, the question was put to the House.

Mr. DURBIN. If I might conclude, I would take exception to the Chair's statement, and I of course defer to the Chair's authority on this question.

But it would strike me that under these circumstances, once the Chair has put the unanimous-consent request and there has been objection, that at the very minimum there should be a motion made by a Member of the floor. It does not appear to me to be the Chair's right or prerogative to try to reinstitute the rights of the individual Member to proceed and to speak, once his words have been stricken and objection has been voted.

I also find it unfortunate, I have to say, for both sides of the aisle. I will conclude, I find it unfortunate on both sides of the aisle that these motions which really go to the decorum of the House have been partisan motions, and I understand that in the past our side has been guilty as your side has. But if we are to maintain decorum in this body I hope we can take a second look at this type of question.

Mr. FRANK of Massachusetts. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The Chair will state these rules and precedents have been developed over time while both parties have been in the majority and those precedents were followed today.

The gentleman from Massachusetts [Mr. FRANK], for what purpose does the gentleman rise?

Mr. FRANK of Massachusetts. Mr. Speaker, I understand the explanation was that the Chair had the right to make a motion, is that, because that is what the Chair did.

The SPEAKER pro tempore. Is the gentleman rising for a parliamentary inquiry?

Mr. FRANK of Massachusetts. Yes, I said, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the nature of his parliamentary inquiry.

Mr. FRANK of Massachusetts. Mr. Speaker, I understand that the ruling the Chair had the right to make a motion in this case. My question is, may the Chair make any other motion as well? I mean, in the middle of the debate if we had an open rule, could the Chair make an amendment during the 5-minute rule?

The SPEAKER pro tempore. The Chair does not have the right to make a motion. Under this circumstance the Chair has the right to put the question to the body.

Mr. FRANK of Massachusetts. I have another parliamentary inquiry, Mr. Speaker. There was no question if the Chair had not put the question. Someone made a unanimous-consent request. But then I do not understand the ruling. No one made the motion. so how can the Chair put a question on an unmade motion? There was a unanimous-consent request which was objected to. Unanimous consent requests have never, in my experience, transmogrified into motions unless someone makes them. So the question is, may the Speaker make a motion?

The SPEAKER pro tempore. The gentleman's point of parliamentary inquiry, to the extent the Chair understands it, is whether or not the Chair made a motion. The Chair cannot make a motion in the circumstance. Under a previous ruling of the Chair, the Chair can put the question to the Members without a Member asking that the question be put.

Mr. FRANK of Massachusetts. A parliamentary inquiry, Mr. Speaker. What question? If no one had made a motion, what is the question?

The SPEAKER pro tempore. And the question is solely limited to whether or not the Member can proceed in order.

Mr. VOLKMER. A parliamentary inquiry. I have a parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state the nature of his parliamentary inquiry.

Mr. VOLKMER. The parliamentary inquiry is whether the Chair now plans to go back into the Committee of the Whole or the Chair plans to recognize the gentleman from Ohio at this time, and it has a lot to do with what the gentleman from Missouri that is now speaking does.

□ 1315

The SPEAKER pro tempore (Mr. TORKILDSEN). If the gentleman from Ohio seeks recognition at this point, the Chair will recognize the gentleman from Ohio.

Mr. VOLKMER. Mr. Speaker, I would suggest, and I would hope, so we can move on, that the gentleman from Ohio would request permission to speak.

The SPEAKER pro tempore. For what purpose does the gentleman from Ohio [Mr. HOKE] rise?

APOLOGY FOR MISUNDERSTANDING OF REMARKS

Mr. HOKE. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HOKE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to just say to the gentleman from Michigan that I think it is unfortunate what has occurred and has taken place. It was not my intent under any circumstances to direct my remarks in a way that you would be personally offended, and if that is the case, my remarks are directed at the larger debate with respect to term limits, specifically the parliamentary maneuvering that is taking place with respect to it and the substance of the debate.

And certainly, there was no intent on my part, not now, not during the debate, not in the future to make comments that would be taken personally by you in an offensive way, and to whatever extent you perceived them in that way, I am sorry, and I apologize.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. HOKE. I am happy to yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, I accept the apologies of the gentleman, and I thank him.

The SPEAKER pro tempore. The Committee will resume its sitting.

□ 1316

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the joint resolution (H.J. Res. 73) proposing an amendment to the Constitution of the United States with respect to the number of terms of office of Members of the Senate and the House of Representatives, with Mr. KLUG in the chair.

The Clerk read the title of the joint resolution.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the following time remained in debate: The gentleman from Florida [Mr. CANADY] had 61½ minutes remaining; the gentleman from Michigan [Mr. CONYERS] had 39½ minutes remaining; and, finally, the gentleman from Connecticut [Mr. SHAYS] had 24 minutes remaining.

The Chair recognizes the gentleman from Ohio [Mr. HOKE] for the final 1 minute.

Mr. HOKE. Mr. Speaker, I thank the gentleman from Florida for yielding.

I would like to conclude my remarks simply by saying that I rise in strong support of term limits today.

We have waited for many, many years to get this vote to the floor. We have had over 24 million Americans already choose in favor of term limits. Seventy-five to eighty percent of the Americans that have had the opportunity to vote on this have voted in favor of it. They voted ''yes.''

Clearly our constituents are saying, ''We want term limits. We want term limits now.''

I urge you to vote in favor of them, and what I would say is if this does come down to a partisan fight, what we need is just 50 percent of the Democrats to vote in favor of this. We are going to get 90 percent of the Republicans. If we can get 50 percent of the Democrats voting in favor of it, we are going to pass term limits. We are going to get 290 votes. That is all we need.

I urge you to vote in favor of it. If we do not, then so be it. The people, the voters, will make this decision in November 1996, and they will have the opportunity to decide whether or not they want term limits.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from Illinois [Mr. GUTIERREZ].

Mr. GUTIERREZ. Mr. Chairman, I understand that when I left, the gentleman from Ohio [Mr. HOKE] was wondering where I was it. I was back in my office doing the people's business and ensuring that things are carried out.

We speak here, and then we go about our other duties and responsibilities, but I understand he had a question, and the question may be the motives behind my speech.

And let me just be very clear with the gentleman from Ohio that he can sleep and rest assured that if a term-limit bill comes before this House that includes retroactivity, that is, immediacy, 12 years, that this gentleman intends to vote for it, and is encouraging and working with others to vote for it.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Chairman, I rise as a supporter of term limits, and I have to say, P.T. Barnum launched the Greatest Show on Earth with the idea that a sucker is born every minute.

Well, it looks like the circus is coming to town a little early, because the Republican Party is applying that same philosophy to term limits.

In the Big Top we call the Capitol, there are Members of Congress who promise lower taxes, higher defense spending, and a balanced budget all at the same time. Now, these career politicians say that they support term limits, only if they are not retroactive and do not have a chance of passing.

The long and the short of it is they support term limits as long as there is no chance that their own terms might be limited.

I have news for the political contortionists of NEWT's three-ring circus, the voters are not as dumb as you think. They believed you when you ran on the Contract With America and said you were not interested in a career in Washington and would limit your term in office. They know the House would pass the Sanford-Deal term-limits statute if it were put to an up-or-down vote today, and when you go home and tell them that you were for term limits, they will know that it was just a show.

Let me also make it clear I hear a lot of Republicans blaming Democrats in case term limits does not pass. The Democrats did not run on the Contract With America. Democrats did not say that there is a revolution in this country and term limits will be the cornerstone. The Republicans did.

And now there is too much party discipline to get one of the term-limits bills passed. Well, look, party discipline was not a problem when it came to cutting school lunches or preventing Congress from passing real lobbyist reform. So we all know the Republican leadership can get the votes when they want to.

The American people who support term limits are about to find out the dirty little secret around here: The vast majority of Republicans support term limits, but only if it does not apply to them.

Mr. SHAYS. Mr. Chairman, I yield 4 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Chairman, I think it is about time we had some straight talk on this subject, and I am opposed to the term limits.

As a former teacher of history and government, I consider myself a constitutionalist. The Constitution is a document that stood the test of time for two centuries and is the model for emerging democracies throughout the world.

You know, the Founding Fathers got it right. They established term limits when they wrote the Constitution. They are called elections. Yet here we are today in this debate, and we have heard that the majority of the American people, fueled by radio talk shows and pollsters, support term limits.

I believe their instincts are right, but they have come up with the wrong solution. We do need congressional turnover experience fresh ideas, but we also need that combined with experience and expertise and institutional memory for more senior Members.

Mr. Chairman, there is a learning curve to every job. The same is true for new Members of Congress. To impose automatic term limits would generally increase the power of paid congressional staff, unelected lobbyists, unelected government bureaucrats and regulators. This is something the people have not figured out yet.

I would also submit that term limits will only exacerbate the so-called revolving-door syndrome, elected officials spending their time and energy while in office paving the way for a lucrative job in the private sector with the special-interest groups they have been serving after they leave office. Automatic term limits will intensify