BILL ARCHER,
PHILIP CRANE,
WM. THOMAS,
CHARLES B. RANGEL,
Managers on the Part of the House.
BOB PACKWOOD,
BOB DOLE,
BILL ROTH,
JOHN H. CHAFEE,
CHUCK GRASSLEY,
DANIEL PATRICK MOYNIHAN,
MAX BAUCUS,
CAROL MOSELEY-BRAUN,
Managers on the Part of the Senate.

TERM LIMITS CONSTITUTIONAL AMENDMENT

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). 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 further consideration of the joint resolution, House Joint Resolution 73.

□ 1453

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 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 general debate:

The gentleman from Michigan [Mr. CONYERS] had 9½ minutes, the gentleman from Connecticut [Mr. SHAYS] also had 9½ minutes, and the gentleman from Florida [Mr. CANADY] had 28 minutes remaining.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee [Mr. HILLEARY].

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

Mr. HILLEARY. Mr. Chairman, I rise in strong support of term limits today.

Members of the House will have the opportunity to vote on several versions of term limits. We all have our differences as to the one which we prefer. But in the end, Members will have a chance to stand up and have their voice counted, for the first time ever, either for or against term limits.

This will be an historic opportunity for this country to return to the citizen legislature envisioned by the Founding Fathers.

I am proud to be a part of this energetic class of freshman Members and I am proud of the bill we have crafted. Over the past several weeks we have helped pass legislation to make historic change in the way the rest of the Government works.

Today we are going to vote on helping make historical change to the way this institution works.

We have the opportunity to give back power to the people.

We have the opportunity to end the era of the career politician.

We might not achieve that goal today, but this is the first vote ever on term limits and it should be considered a win for the people no matter what happens.

If we garner the 290 votes we need, then we are going to send this bill over to the Senate with an incredible amount of momentum. If we fall short, we have still made a huge down payment on the concept of term limits.

I say this sadly, but I believe that those that vote against term limits may have themselves in peril the next time they stand for reelection. Their constituents may decide not to send them back. I say this with sadness because I have nothing but respect for the folks, men and women, who have labored here for many years in service to their country. But with all due respect, I firmly believe that none of us are irreplaceable and as proud as I am of our freshman class, none of us need to be here for the next 20 or 30 years.

Let's support the wishes of the citizens of this country by passing term limits today. Regardless of what emerges from the Committee of the Whole, let's support term limits on final passage.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FOX].

(Mr. FOX of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. FOX of Pennsylvania. Mr. Chairman, term limits is an idea whose time has arrived. The people of the United States have said in record numbers, over 80 percent, that they want term limits. It may be the most popular item that we have in the Contract With America. If we vote today for any of these various proposals, such as the 6-year Inglis bill, the 12-year McCollum bill or the Hilleary States rights legislation, we will set in motion a chance for the people to decide.

The first step is the passage here in the U.S. House. The second step would be the passage in the U.S. Senate. The third step would be 38 States to adopt. California has already shown us that with issue and referendum, how fair it is to involve each of the citizens in the direct process of deciding the issues that affect their lives. This legislation before us will again give power to the people to decide just how long the terms in office should be.

With term limits, we bring to the Congress an infusion of new ideas, new enthusiasm, and a fresh perspective. By passing term limits, more people will have the chance to personally contribute their individual talent, their energies to the representative process. We have already seen how the public is looking to us to in fact come through with the promises from the Contract With America.

We have already seen the adoption of the Shays act, the accountability law, the balanced budget amendment, the line-item veto, the prohibition of unfunded mandates, legal reform, and now we are here on term limits. It is the responsibility for each Member of the House to decide which bill best fits their district or their view of how the United States should look at term limits. But in any event, term limits is certainly what the people in great vast numbers want across the United States.

It is our job tonight to vote in favor of those legislative items.

Mr. CANADY of Florida. Mr. Chairman, I yield 2½ minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. I thank my friend the gentleman for yielding me the time.

Mr. Chairman, I am going to be voting for term limits today, but that does not mean I am in favor of term limits. The reason I am voting for term limits is because we have a Contract With America and I signed the contract. I do not want to renege on my word.

Last November 8, the American people voted and we had wholesale change in the House of Representatives. If I have to go in for open heart surgery, I don't want a man or woman just out of medical school, I want someone who has been there for awhile and knows what they are doing. But I did sign the Contract With America last September, and I told the people that I would vote for term limits, and that is why I feel honor bound and duty bound to vote for term limits.

I did survey the people of my district. In fact, I asked all the questions, all 10, on the Contract With America. It might be interesting that on term limits, we had some 15,534 people respond, 5,929 for, 9,605 against. So 61 percent of the people were against term limits.

□ 1500

Basically what I asked was whether they want a 6-year term or 12-year term, or neither. People should be able to vote whomever they want in the ballot box and 61 percent of the people did pick the third one.

In 1787 after our forefathers crafted a constitution at the Convention, it was not ratified immediately, it went to the States and there was a debate. And I feel that is what we are going to be doing with this amendment. We are going to be sending it to the States and let us have a debate, a national debate, and that probably it can lead to a national catharsis. We can debate this issue and allow the people to have an ultimate say and that is why I think this particular amendment is important. I think the people should have a say throughout the land.

So, for that reason I think it is important that we pass it. But I do feel that term limits should be extended to the bureaucracy too. Otherwise the bureaucracy is going to be much stronger or the Supreme Court.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. ROTH. I am happy to yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I appreciate the gentleman's intellectual honesty, but my understanding of the contract was the contract simply called for this to be brought to the floor.

Mr. ROTH. I take back the balance of my time because I have only 30 seconds. That might be true, but I feel I signed the contract. I am talking for myself, I am not talking for others. I did sign the contract and I feel that I am honor bound to vote for term limits. But my heart is not in it because I do not think it is the right thing. But I do say let us send it to the States, let the American people debate it and then we can still have a round with it.

I thank the gentleman from Connecticut for yielding me the time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. COLEMAN].

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

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

Mr. Chairman, we were lectured a little while ago by the gentleman from Michigan who told us about when he was a businessman, and we do not know what we are doing when we are inside the beltway, and I guess that may be right about some folks.

But what is interesting to me is that he has indeed been a part of House Resolution 73, and the other substitutes before us, and we have a policy prescription that has no bearing in any of those substitutes, any of them, not a one in reality other than the Peterson-Dingell substitute. And the reason it has no bearing on reality is because it does not touch any one of us. Shame on all of you for telling the American people, ''Oh, this is term limits; it is going to affect us.'' It is not going to do any such thing.

The gentleman from North Carolina pointed out that it would take a number of years to pass a constitutional amendment. You are going to start by giving yourself a 12-year term, are you not? Is that not what the resolution says? Is that not what you put in the contract? Plus 7 years probably to get it enacted by the States makes it 19 years. Even freshman Members who are assured of long terms as career politicians know it is going to take that long before it takes effect.

I do not think that is what the voters had in mind when they urged some in Congress to support term limits. I believe the voters who support term limits want to see the effects of the amendment as soon as possible.

I expect to see all of the proponents of term limits leap at the opportunity to vote for the Peterson-Dingell substitute, because that makes it real. It makes it take place now, not in some 19 years.

So I expect to see a lot of people voting for that who do not plan on it because otherwise you are going to be—I am not going to use the term or I may get my words taken down—maybe not being totally candid with the voters who sent you here.

I would just suggest that those of us who oppose them, I do not think a lot of us Members believe very strongly that what needs to happen is our voting constituency does not know what it is doing. A lot of us think they do. We know that their terms are up. Of course, after they are passed, only we know that the people who know their terms are up, regardless of how meritoriously they serve, will hear the voice of the lobbyists growing greater in their ears, while the voices of the voters will become faint.

I urge Members to vote against term limits as a quick fix for what is wrong in America.

I rise today against all term-limit constitutional amendments including the Peterson/Dingell substitute. While the substitute takes the important step of making term limits retroactive, and it injects a vital dose of reality into this week's term-limits debate, it still limits the prerogative of the American people. We have all been talking about the effects of term limits on American democracy as if we are dealing with an abstract, academic concept. An in truth, under the terms of House Joint Resolution 73 and the other substitutes before us, we have indeed shaped the notion of term limits into a policy prescription that has no bearing on reality, because it will not touch any of us.

The resolution at hand will have a 7-year allotment for ratification. After that period, the 12-year clock will start ticking. This means that the term-limits amendment will not affect a single Member of this body for 19 years. Even freshmen Members are assured long terms as career politicians before the amendment takes effect.

I do not believe this is what the voters have in mind when they urge some in Congress to support term limits. I believe that voters who support term limits want to see the effects of this amendment as soon as possible. If they cannot support retroactive term limits because they are fearful of the possible effects on their Representatives and Senators, then perhaps they will focus upon the true repercussions of a term-limits amendment. The same applies to all of us. If we cannot support the outcome of a term-limits amendment that impacts upon us directly, then we have no right to impose similar restrictions upon future generations.

What will those effects be? Term limits will certainly decrease the power of the Congress. They will ensure that experienced Members cannot serve within the legislative branch. Unelected congressional staff members will thrive in an environment where they are more seasoned and more powerful than elected officials. Consequently, voters' input into the policymaking process will decline. Even more frightening is the prospect that lobbyists will in many cases exercise disproportionate powers over legislators with limited terms. Some Members may be quite willing to ignore their voting constituency if they know that their terms are up regardless of how meritoriously they serve. For such Members, the lure of the lobbyist will be great, and the voice of the voter will grow even fainter.

But term limits circumscribe democracy in an even more insidious way. They allow today's dissatisfied voters to dictate to future voters in all districts for whom they can and cannot vote. Under current law, voters dissatisfied with a Member's performance can vote that Member out. Those who are satisfied can vote to retain their Member. Under a term-limits amendment, satisfied voters will be restricted from reelecting their Member as a result of the current discontent of voters in some other districts. Right now, every voter has the power to limit terms with the passing of each election cycle. The term-limits amendment places new and unnecessary restrictions upon this tremendous power. If you truly believe that this is the way democracy works, you should let it start working now and support the Dingell substitute.

It is strange that congressional experience is automatically equated with being out of touch. Clearly, the Members of the Republican leadership seem to believe that they are still in touch with the voters in spite of the fact that their terms far exceed 12 years. Hence the notorious Contract With America. Why should they be allowed to assume that they are unique? If they truly believe that lengthy terms put Members out of touch, then let them support this substitute. If they do not believe it, then they should oppose a term-limits amendment altogether as I am doing.

There are those who argue that the supporters of the Peterson-Dingell substitute are those who oppose term limits, and therefore are backing a substitute that will not pass. This is simply not true. After all, if any Member is a genuine supporter of the principles of term limits, he or she will leap at the opportunity to impose them as quickly as possible. Those Members who do not have the conviction to vote for this substitute are merely masquerading as term-limits supporters. Those of us who have opposed term limits in the past support this substitute because we believe that we should all face the consequences of our vote. If we are willing to impose the restrictions of term limits on future Representatives and Senators, we should show our willingness to face these problems ourselves. If term limits prove to be a poor policy alternative, those who support it should be willing to deal with the consequences. If they are effective, then we should all reap the benefits as soon as possible.

The Peterson-Dingell substitute is important because it exposes the real views of term-limit supporters surrounding this debate. Anyone who votes against this substitute is voting to maintain the current system for another 19 years. No such Member can be considered a real supporter of term limits. Anyone who ran on a promise of enacting term limits—and this encompasses almost the entire Republican side of the aisle—must vote in favor of the Peterson-Dingell substitute. A vote against this substitute is effectively a vote against term limits. And if term limits aren't good enough for

you, why should you have the right to impose these restrictions upon future representatives?

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma [Mr. ISTOOK].

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

Mr. Chairman, I rise in support of enacting uniform national term limits on all Members of Congress, the House and the Senate. This country was founded by those who set aside, for so long as was necessary, their individual businesses and pursuits, but never intending to become a professional political class. They brought with them the variety of strengths, background, and insights which can only be gained from interaction with fellow citizens on a normal, everyday basis.

Since then our country has grown large and Government has grown even larger. It has created a system whereby too many people in politics know no other way to make a living. And too often they are isolated and unfamiliar with normal and everyday life.

This is not healthy for America. It is especially fascinating to read studies which show the longer somebody serves in Congress, the more they tend to vote for big government, and bigger taxes, and to oppose cutting spending and cutting the size of government. The system has become a narcotic for too many people.

Many States, including my own, have voted to limit the terms of their own Congressmen and Senators. They did so with the hope and expectation that this would create momentum to adopt term limits on a national level, to treat all States equally. Now we have the chance to adopt those term limits.

Although many may think it of themselves, nobody in this Congress is indispensable. We have term limits on Presidents, on Governors, on State legislators, even on city council members and others elected to public office. Congress needs to listen to the people and adopt uniform national term limits.

I urge support and final passage of the measure.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina [Mr. GRAHAM].

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

During the campaign I ran on four reform issues. I am the first Republican to get elected in 120 years in my district, and there are four things I talked about.

I want a balanced budget amendment so no party can spend beyond their limits. I do not trust Democrats or Republicans enough to come up here and spend responsibly. I want a line item veto to be able to strike out pork barrel projects from what we do here and make sure we do not spend each month getting reelected. I ran on the concept every law in America should apply to Members of this body, Republican or Democrat, so you know what it is like to live in America, not just Washington, DC.

And the fourth thing, I ran on term limits to make sure you come up here with a different motivation and your whole purpose of being here is not to get reelected and see how far you can go.

I support the Peterson-Dingell legislation for 12 years. I have been here almost 100 days and I find myself wanting to go vote for the 6-year version. I am going to vote for the Frank amendment. I may not believe in it, but I do if it takes retroactive term limits to get this place cleaned up. I am going to vote for it. I am going to vote for all four versions.

If we want to change America we need to send people up here with a different motivation for serving and it is not going to happen until we have term limits on this body.

I think I know why 80 percent of the American public wants term limits. I do not believe 80 percent of the people in here really understand that.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. ROEMER].

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

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

Mr. Chairman, Thomas Jefferson said that the price of democracy is eternal vigilance, and what he meant by that I think is there is a price for democracy. There is a price sometimes of people going to war and not coming back. There is a price of people going out and registering voters, and there is a price of being eternally vigilant. That means keeping up to date on where your Representatives and your Senators and your mayors stand on issues, and when you agree with those people that you go and you work and you vote for them. And when you disagree with those people, you get off your couch and out of your living room and you go to vote for change.

In the last three elections we have seen monumental change sweep across this country, 50 percent of the Members elected since my class in 1990 are now new; 50 percent of the U.S. Congress has turned over since 1990.

There is a study done by Dr. Robert Putnam of Harvard and he called it ''Bowling Alone.'' He said recently while bowling membership is up in the United States, people are bowling by themselves, Lions Club membership is down, voting is down, Little League is down.

We do not want him doing a study in 20 years saying nobody is voting. We want people to get out there and vote and not fix our country's problems by gimmicks and bumper stockers and quick fixes.

I proudly have hung a picture in my congressional office. It is a picture of the Capitol and it is a quote by Alexander Hamilton, and it says: ''Here, sir, the people govern,'' the people govern this great Nation, and let us not take the power of the ballot box away from the people of this country.

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

(Mr. BARRETT of Nebraska asked and was given permission to revise and extend his remarks.)

Mr. BARRETT of Nebraska. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of limiting service in both the House and Senate to 12 years.

I am proud that House Republicans have fulfilled yet another promise in the Contract With America, by bringing—and I stress bringing—before the American public a fair debate about limiting congressional terms.

Our contract did not guarantee passage of every item. Whether term limits pass tomorrow or not, this debate is a tribute to the Republican leadership, including Mr. MCCOLLUM, and it is a check mark in the success column. I hope the media gets that straight.

I am of the opinion that, as provided by our Founding Fathers, Members of Congress already serve limited terms—2 years in the House and 6 in the Senate—and that they can be dismissed by the voters at the end of those terms.

The 104th Congress is evidence of those existing limits; 52 percent of the House is serving only their third term or less.

But the voters are not happy with this result, and in response, we are here debating further limiting congressional service.

Understandably, voters are frustrated and dissatisfied with the performance of Congress—legislative gridlock, scandals of recent years, and the size and cost of Government are sample reason to earn the voters disdain.

We have also done our part to foster their contempt by our increasing tendency to legislate for the sound bite.

Nebraska is one of the 22 States that have voted to impose term limits on its congressional delegation. The issue was on the ballot in both 1992 and 1994, and my constituents knew both times that, while I would support certain term limits, I opposed the Nebraska ballot initiatives. My votes today and tomorrow will be fully consistent with that position.

I can realistically look at this point in my life, and service in the House, and say that should additional term limits be imposed, they'll not have an impact on me. So it's with no self-interest or self-preservation in mind that I say that there are serious drawbacks to term limits.

But I will vote to respect the will of the American people, who have given strong indication, that additional term limits is their desire. I will also exercise my personal judgment for the

country, however, that anything less than 12 years is unrealistic, and the same limits must be imposed on both House Members and Senators from all 50 States.

I urge my colleagues to join me in voting for the McCollum 12-year limit.

Mr. CANADY of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. BARTLETT].

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I just want to make just one simple point. Some 80 percent of all of our constituents favor term limits. This is nonpartisan. It goes across party line, age, sex, and color; broad support for term limits. We need to respect the wishes of our constituents, and vote today for term limits and send this to the States. There the dialogue will continue in the State legislatures.

□ 1515

There will be ample opportunity to debate, and ultimately the will of an even more enlightened electorate will prevail.

Term limits is not a new idea. We have term limits for our Presidents. For those who are so vociferously opposing these term limits, they ought to be equally adamant in looking for another constitutional amendment to remove term limits for the President. They are not doing that.

We need to respect the will of these 80 percent of all of our constituents, and today vote to send this to the State legislatures where the dialog can continue.

Mr. CANADY of Florida. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. HOUGHTON].

Mr. HOUGHTON. Mr. Chairman, there is not much time. I want to get to the point.

And the point is that I believe in the concept of term limits, and I believe in the McCollum amendment.

Let me tell you why. I understand the arguments of brilliant orators like the gentleman from Illinois [Mr. HYDE] and others who feel very strongly about this issue. I understand there will be an overreliance on staff. People will not be able to understand the trends and how to get around here. There will be an absence of understanding of the silent language that takes place in every profession.

Let me tell you something, that I come from an area of business, and the CEO's of companies do not stay very long. College presidents do not stay very long. There is a concept now, because of the pressure of things, they must turn over and change and give it to new and different people. Furthermore, if I as a businessman or I as a doctor or a farmer or a college professor or whatever want to get in, I must be able to plan, because right in the middle of my career I am not sure when that person will get out.

It is a good idea. Let us support it. Its time has come.

Mr. SHAYS. Mr. Chairman, I yield 6 minutes to the gentleman from Kansas [Mr. ROBERTS], the distinguished chairman of the Committee on Agriculture, who is represented by two Senators who, if this resolution were to pass and would be in full operation, would not be allowed to serve, Mr. DOLE and Mrs. KASSEBAUM.

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

Mr. ROBERTS. I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to term limits. I think with an issue as important as this, one Member's warning flag in regards to the law of unintended consequences is another's banner of reform.

I know that each Member's conviction is such that everybody becomes an author of the best approach. I do appreciate that.

I associate myself with the eloquent and persuasive remarks of the gentleman from Illinois [Mr. HYDE]. I am for the term limit, as has been said that was put in by the Founding Fathers, a 2-year limit. It is called an election. If you utilize your constitutional voting rights, the voters can, has, will, continue to throw the rascals out—if they so choose.

What term limits basically say is that for the sake of change the voters should be denied the right to keep their elected Representative—if they so choose.

I am going to skip past all the pros and cons that have been highly featured in this debate and get to the basic point. The basic point is this: If this House of Representatives is in crisis to the extent that we deny the voters the right to reelect their representatives after six terms, then it follows the people responsible for this sorry state of affairs must be those Members who have served here over six terms. And, as Butch Cassidy and the Sundance Kid said, ''Who are these guys?''

Well, for one thing, after the briars and brambles of past scandals and resulting reform and the vote for change in the last election, there are not near as many as there were before. Over half of the Congress is new since 1990.

If you want to limit terms to 12 years, you better think about it. The average term of service is now 10. Less than one-third of the House has served more than six terms. What we have here is a mandate for term limits, but not for current Members. We have a terminal illness that is abound and rampant in the House, but we are going to wait 12 years before we take the medicine.

Why? I think the answer is pretty simple. General support for term limits is strong. It has been mentioned, 70, 80 percent. But if you say, ''Oh, it is your Member, your Congressman from your district?'' then that drops rather drastically. And proponents of term limits do not find it very pleasant telling fellow members they are part of the problem, and it is time for them to say ''adios.'' As a matter of fact, most of the term-limit proponents slide up to you and say, ''Don't worry, we are not talking about you. It won't affect you.'' And therein lies the truth of the matter.

I know there are proponents who believe a revolving-door Congress and change for the sake of change would restore a citizen legislature, but you do not get too far in the debate before it becomes obvious regarding the politics of this purge. It is the other guy that is the problem, not me, and not thee.

But if it is off with the public-service heads, whose heads are we talking about? Who in this Congress has been here too long? Using the automatic term limit theory, it appears as if we are talking about most of the Republican and Democrat leadership, the gentleman from Georgia [Mr. GINGRICH], the gentleman from Texas [Mr. DELAY], the gentleman from Missouri [Mr. GEPHARDT], the gentleman from Michigan [Mr. BONIOR]. Let's wipe out the leadership. That is the ticket. Or is it? My word, that is almost insurrection. So it must be somebody else that is at the root of this problem. I took the liberty of just going down the State delegations. Let us see, there is the gentleman from Alabama [Mr. BEVILL], he has been there for 30 years, a most respected Member. He cannot be part of the problem. Is it the gentleman from Arizona [Mr. STUMP], 24 years? I do not think it is BOB. The gentleman from California [Mr. DELLUMS] and the gentleman from California [Mr. LEWIS]? I do not think so. My friend from Colorado, Mr. SCHAEFER? I am not trying to single anybody out. The voters can. But term limits cannot.

It must be the gentleman from Florida [Mr. MCCOLLUM], that is who it is, 4 years over this term limit at 16 years. He is the author of one of the proposals. But BILL was unopposed in the last election. His voters just apparently did not get it. The gentlewoman from Hawaii [Mrs. MINK], the gentleman from Illinois [Mr. HYDE], the gentlewoman from Illinois [Mrs. COLLINS], the gentleman from Illinois [Mr. PORTER], the gentleman from Indiana [Mr. BURTON], the gentleman from Kentucky [Mr. ROGERS], the gentleman from Louisiana [Mr. LIVINGSTON], the gentleman from Massachusetts [Mr. FRANK], the gentleman from Massachusetts [Mr. MOAKLEY], the gentleman from Mississippi [Mr. MONTGOMERY]. There is a good one, ''SONNY'' MONTGOMERY, one of the most respected Members of the House. The gentleman from Missouri [Mr. EMERSON], the gentlewoman from New Jersey [Mrs. ROUKEMA], the gentleman from New York [Mr. SCHUMER], the gentleman from New York [Mr. RANGEL], the gentleman from Ohio [Mr.

OXLEY], the gentleman from Ohio [Mr. REGULA], the gentleman from Oregon [Mr. WYDEN], the gentleman from Pennsylvania [Mr. FOGLIETTA], the gentleman from Pennsylvania [Mr. SHUSTER], the gentleman from Pennsylvania [Mr. GEKAS], the gentleman from Pennsylvania [Mr. GOODLING], the gentleman from South Carolina [Mr. SPENCE], the gentleman from South Carolina who wants term limits. Tell FLOYD he is out and you are in. The gentleman from Tennessee [Mr. QUILLEN]; who is going to tell us when to vote if we term limit JIMMY QUILLEN? The gentleman from Texas [Mr. ARCHER], the gentleman from Texas [Mr. FIELDS], the gentleman from Virginia [Mr. BATEMAN], the gentleman from Virginia [Mr. BLILEY], the gentleman from Virginia [Mr. WOLF], the gentleman from West Virginia [Mr. MOLLOHAN], the gentleman from Wisconsin [Mr. PETRI], PAT ROBERTS, PAT ROBERTS? Now, quiet, no applause. All shapes and sizes and different stripes in regards to their politics.

But you know something, all of these Members received over 70 percent of the vote, or they were unopposed. Could these elected Representatives actually be doing a good job for their constituents and, depending on your point of view, for their country? Did Senators Everett Dirksen, Hubert Humphrey, or do SAM NUNN and BOB DOLE, did Congressman Bob Michel and Bill Natcher, our beloved Bill Natcher?

Every once in a while in a democracy there comes a time when we succumb to populist sentiment, and the emotion of the moment. We usually call it reform, and then we experience the law of unintended effects and spend the next several years trying to reform the reform.

This is different. This is different. This amends the Constitution. We do not need to go down this path in order to achieve reform and a House responsive to the people.

It is a paradox of enormous irony that in order to make the Congress more responsive to the people, we are recommending a limit on their voting rights.

The gentleman from Illinois [Mr. HYDE] is right. HENRY HYDE is right. Trust the people.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. CAMP].

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

Mr. CAMP. Mr. Chairman, for the first time in history, the House of Representatives will debate and vote on a constitutional amendment to limit the amount of time a Representative or Senator can serve. It is about time.

I support the McCollum amendment that provides a 12-year limit for both Houses, ensuring consistency and equality between this House and the Senate. It promotes a level playing field for all States.

Our Founding Fathers never envisioned a Congress made up of Members who would serve for a lifetime. They would be astonished to know that the leadership in the previous Congress had an average of 27 years in this House. Over the past 10 years, 90 percent of incumbents have been reelected. They saw a Congress where individuals would leave their careers for a time, serve, and then return to live under the laws they passed.

I support term limits not only because the people of my district and my State do, but because we have the opportunity to again make our Congress a citizen's legislature.

Throughout these first 100 days, we have worked some long hours to keep our promises. This is one of them. Many Members have spoke of their support of term limits, well when it is time to vote. I urge my fellow members to vote ''yes'' on the McCollum amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee [Mr. TANNER].

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

Mr. TANNER. Mr. Chairman, may I just simply say something very, I hope, profound, but very simple. No matter what you call it, an attempt to diminish the right of an American citizen's access, unrestricted access, to the ballot box in a free country is wrong. It is not only wrong, it is dangerous.

These people are asking us to vote today to take away from an American citizen whom through the years people have fought and died to protect, defend, and honor, take away your right as an American citizen to vote for whomever you wish, whenever you wish, for as long as you wish. It is that simple. You can call it anything you want to. But it is a diminishment of an American citizen's right of unrestricted access to the ballot box.

The people on this floor are totally irrelevant to this question. They are all, everyone you see, all on this floor today, tomorrow, or the next day are all going to die, get beat, leave, or otherwise retire or quit. They are not even a part of the question.

The question today is: Are we going to, for the first time in this country's history, put a restriction on our citizens' right of unfettered access to the ballot box?

The only other place I know in recent times that has been done was in the Soviet Union where only one party appeared on the ballot box.

I want to ask the conservative constitutional scholars to speak up before we do something to the American people that is absolutely almost an outrage, to say the Government is going to tell you who you can vote for. That is what this is.

This is an attempt to muzzle the will of the American people, and it ought to be stopped today.

Mr. CANADY. of Florida. Mr. Chairman, I yield 1½ minutes to the gentleman from Maine [Mr. LONGLEY].

Mr. LONGLEY. Mr. Chairman, I think what we are talking about is giving the American public the opportunity to see some form of reasonable term limitation, and I think that is fully in respect to the Constitution. In fact, I think we need to go back to not only the Constitution but the Declaration of Independence.

And Mr. Jefferson made in that declaration the comment all men are created equal, but that to secure these rights, governments are instituted among men deriving their just powers from the consent of the governed.

I think we have confused what was intended by the Founding Fathers of this country. Our President over the weekend made the comment in his radio address that ''Government is our partner, that Government empowers us.'' And I think that is the great fallacy that has led to the difficulties that we are facing today as a Nation, that we allowed Government to become the preeminent institution in derogation of the rights and responsibilities of individuals, families, churches, schools, charities, every other institution of private society that has made this country great.

There is the real foundation of our strength is the power of the individuals and the aspects of our community, not just the Federal Government.

My State has spoken. My State has passed in referendum overwhelmingly a 6-year limitation on the service of Members or citizens in this Congress. I respect that vote.

I think they have a right to see the same vote brought to other States across the country, and I think that we need to give them that opportunity.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. MICA].

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

Mr. MICA. Mr. Chairman and my colleagues, under the Articles of Confederation, there were term limits. If we look back in history when the Constitutional Convention met in Philadelphia in 1787, they did not consider any term limits. In fact, they wanted to preserve the experience and knowledge of Members who had provided prior service.

This book which I recommend to each and every one of you is entitled ''The Miracle at Philadelphia.'' It chronicles the proceedings of the Constitutional Convention, and it is really one of my favorite books, and again I recommend it for reading by every Member of Congress and every citizen.

In 1787 the Founding Fathers set 2-year terms for House Members. However, 1787 is not 1995.

□ 1530

Justice Oliver Wendell Holmes, when reflecting upon the Constitution, said,

''The Constitution is an experiment, life is an experiment,'' he said.

We have had an opportunity for the past 200 years to reflect on this experiment provided by our Constitution.

In 1787 they came, they served, and they left. Today we have PACs, unlimited campaign spending, and media expenditures that distort the entire process. I do not support 6-year term limits or 8-year term limits—they leave the bureaucrats & lobbyists in charge. Because of that I believe the experiment and the experience we have says that 12 years can do it best. We have a different situation, we have experience and experiment to draw upon, and it is now our duty and responsibility to enact that provision into this document and into the laws of our land.

I support the 12-year terms in Mr. MCCOLLUM's amendment and ask my colleagues to do the same.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. PELOSI]. Apparently, alligators are not subject to term limits, or we would have heard about that.

Ms. PELOSI. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in opposition to the constitutional amendments before us which would limit the congressional terms of Members of Congress. I have three major objections to the constitutional term limits.

First of all, as a woman, I take issue with term limits because they represent an obstacle to the contribution that women can make to our country. Look around this capitol, and you will see in Statuary Hall the distinguished American men who have served here in this body and in the Senate. For over 200 years men in Congress have had the opportunity to develop standing and to become internationally recognized leaders on the great issues of the day. To limit congressional terms just as the number of women who are serving in Congress is increasing denies the Congress and the American people the benefit of the wisdom and experience of America's women. I do not think that is an intentional move on the part of the proponents of term limits, but it is an unintended consequence. Just as more women are coming into power, term limit advocates are saying, ''Not so fast. We have changed the rules. You will not have the same opportunity as men to make your contributions to America.''

Second, I oppose term limits because the real winners, if term limits pass, are the special-interest lobbyists in Washington, DC. They have no term limits and are not forced to step down after 6, 8, 10, or 12 years. Passage of congressional term limits, particularly in the absence of real lobbyist reforms, will pit seasoned lobbyists against rookie legislators.

Mr. Chairman, the clear winner would be Washington's professional lobbying corps while the American people will be the clear losers.

Third, the reason I oppose term limits, I heard some of my colleagues say that State legislators have term limits. Serving in the Congress of the United States is different. We not only deal with the domestic issues, we have to deal in the international scene. We have to understand the politics of the U.S. and foreign relationships involved in decisions that we make. We will have our rookie legislators competing against sophisticated legislators in other countries, putting our country at a disadvantage. This is no time for drive-by legislators. It is time to respect experience, it is time to oppose term limits, and I urge my colleagues to oppose all the constitutional term limits amendments.

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

Mr. INGLIS of South Carolina. I thank the gentleman for yielding this time to me.

Mr. Chairman, one of the arguments made here today is it takes experience and a while to get used to this House. It should be pointed out that the gentleman who just yielded me time is a sophomore, as I am, and he is already a subcommittee chairman, doing an excellent job as chairman of the Subcommittee on the Constitution. There goes the argument for experience.

Let me make this point: Here is the observation that was made time and again here today by those who defend the current order. They say to us that this experience is what we need. We need people of experience here.

What I do not think the incumbents here are getting yet is that the American People say, ''Experience at what? Experience at what? Balancing the budgets?'' We are $4.7 trillion in debt.

The gentleman who came earlier with a long list of longtime incumbents, I ask, where were they when we ran up a debt of $4.7 trillion? Experience at what? Balancing budgets?

Maybe experience at running a savings-and-loan system that, because of the decision made in this body, created a savings-and-loan disaster. Now, not the scapegoats, let us be honest, not the scapegoats; the people who defrauded the savings-and-loans, not those folks. The decision here to increase the insured limit from $40,000 to $100,000.

Experience at what? Running a good business? I would say, rather than those kind of experienced people, what we need is an experienced businessman or woman at home who has balanced a budget year after year after year in their business. If they come here, maybe they can do a better job. You know what? The arrogance of this place is showing today. The arrogance of Members who would say, ''I am indispensable. You can't get rid of me.''

The American people are saying that is what we want to do, ''We want to get rid of you, but we can't because you have such enormous war chests. We can't because you have name identification higher then anybody in the district.'' They say, ''We want to get rid of you.'' That is what they are telling us in these term limits.

I also point out, what about the argument about the careerists, the argument of Mr. HYDE? I point out that we are not here looking for a brain surgeon. If I were looking for a brain surgeon, I would agree, I would go to the most experienced guy or go to the most experienced lady. But I must say, that is not what we are looking for. We are looking for somebody to represent us here.

I would submit to you that experience runs exactly contrary to representation. Experience here means experience at the PAC game, getting PAC money, more and more and more. So, more and more seniority so you can do the deals; more and more experience in this body removes you from the people out there. They want you to go home. They want you to run for something else if you choose, but submit yourselves to that risk.

Do not stay here in an insulated situation where you can time and again return to this place and, contrary to what the gentleman from Illinois said about his challenger being at home sipping brandy,I must say to you I ran against an incumbent in 1992. And while she was sitting home, I was down at the office doing billable hours between 12 a.m. and 3 and 4 a.m. To make up the billable hours because I did not have the luxury that we have here of running so hard.

And let us be honest, that is what we do; we run full-time.

We have a job that enables us to go to butchershop openings, as the chairman says, and to that meeting where we can speak to hundreds of people. A challenger does not have that. A challenger has to make a living while running for Congress against an entrenched incumbent with all his advantages.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would remind our guests today who are with us in the Chamber that the rules of the House forbid any public demonstrations from the gallery.

The gentleman from Florida [Mr. CANADY] has 4 minutes remaining, the gentleman from Connecticut [Mr. SHAYS] has 3½ minutes remaining, and the gentleman from Massachusetts [Mr. FRANK] has a 1½ minutes remaining.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 30 seconds to myself.

Mr. Chairman, the gentleman from South Carolina, or perhaps it may have been the gentleman from Maryland, raised the question about the 22d amendment, which prohibits the President from running for more than two terms. Several of us, I first cosponsored an amendment to repeal that with Mr. Vander Jagt several years ago under the Reagan administration, and several others to repeal that. So, yes, that is

also inconsistent, I believe, with this principle, and many of us have amendments here to repeal it.

Mr. Chairman, I yield the balance of our time to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. I thank the gentleman from Massachusetts for yielding this time to me.

Mr. Chairman, let me just say to the gentleman from South Carolina who spoke about arrogance, the only arrogance I see today is by people who say they are for term limits but they want it to start with the next generation. They do not want it to start right here, they do not want it to be retroactive.

If you are really for term limits, then you ought to be for term limits right now. And very soon we will have a chance to vote on that amendment.

Term limits, we have term limits; they are called elections.

I won in 1988, beating a 10-term incumbent entrenched. The voters in my district decided it was time for a change.

Let us let the voters decide. There has been a 50-percent turnover in 1992 and 1994 in this House. It shows that the American public does not need term limits to restrict terms. We have a permanent staff here. You know what we will get with term limits? We will get a permanent staff. This place will be even more staff-dominated than it is now. And it would be more bureaucratic, more bureaucracy-dominated than it is now.

Why would anyone stop their lives to come here for a temporary amount of time? Do you know what this place will turn into? This will be a plaything for millionaires who want to come here, this will be a plaything for mediocrity, people who cannot do anything else, who will take time out of their lives. But competent people are not going to want to do that.

Daniel Webster, John Quincy Adams, people like that served more than 12 years.

Our buildings, the Rayburn Building, the Longworth Building, and the Cannon Building, let us rename them as Cells 1, 2, and 3 because they would not have been here 12 years.

This is a bad idea, and it ought to be defeated.

Mr. SHAYS. Mr. Chairman, I yield myself such time as I might consume.

First, I would like to start off by thanking the gentleman from Michigan [Mr. CONYERS] and the gentleman from Massachusetts [Mr. FRANK] for yielding time to the Republicans who opposed term limits. I thank the gentleman. I also thank my colleague, the gentleman from Florida [Mr. CANADY], for his graciousness in yielding time against the amendment to the chairman of the Judiciary Committee. I would have loved that honor to yield to that gentleman, but I thank him for yielding time in that way.

Mr. Chairman, lots of things we could say. But I think we all speak from our hearts, and that is probably the best way. And then the people decide through their elected Representatives. I signed a Contract With America, and there were parts I liked a lot, parts I did not like much at all. There was one part I wanted not to be part of the contract, and that was the concept of the term limits. I did not particularly like the language used, because it did not describe the way I feel.

But what we said in our contract is:

> As Republican Members of the House of Representatives and as citizens seeking to join that body we propose not just to change its policies, but even more important, to restore the bonds of trust between the people and their elected representatives. That is why, in this era of official evasion and posturing, we offer instead a detailed agenda for national renewal, a written commitment with no fine print.

The last item that we promised to do, and it is very clear, we said, ''A first-even vote on term limits to replace,'' and this is the term I did not like, ''career politicians with citizen legislators.'' That is what we are doing. And Republicans can feel very comfortable that we are fulfilling our contract in having this debate.

As an opponent of term limits, I am very happy we have had this debate. I align myself with the remarks made by many on my side, the gentleman from Kansas [Mr. ROBERTS] and the gentleman from Illinois [Mr. HYDE]. I wish I could be as eloquent in terms of their message. I hope the American people have been listening to their comments.

I look at Mr. INGLIS and I say he is the best argument not to have term limits, because he defeated an incumbent. And I say to Republicans, in the late 1940's and early 1950's, ''You got Mr. Roosevelt, you got him good, real good. You punished Eisenhower, and you punished Ronald Reagan because they could not return to a third term.''

I have an amendment to repeal the 22d amendment. I say to the Republicans on my side of the aisle, you can really get at the Democrats, you can end 40 years of Democratic control. You thought we could not do it by beating them at the polls; so what we did was we limited their terms.

I had someone who said candidly they did not like HENRY WAXMAN, so they wanted me to support term limits. I said, wait a second, HENRY WAXMAN is in California, and they said, ''I know. I can't vote there. The only way I can get at HENRY WAXMAN is to vote for term limits.'' Think of what we are saying. We are saying that Americans are trying to vote in districts they are not even represented by. Mr. WAXMAN has been a very active Member. He was elected by his constituents because they want him here. We should not decide in another area whether he can run. I am in my 4th term. Since that time, 291 people have been elected, new Members; 254 of them are serving right now. There are times I would love to be home living with my family 7 days a week, having my weekends, and, yes, making more money, because I would. I serve here because I think I am of service and because I believe I am making a difference. I may not be. My constituents can tell me that in a brutal message. They can decide not to reelect me.

We need in this Chamber a mix, we need the young, we need the new, those who have served here for some time, and those who have served here for a long time. That mix will create the change 40 years of one-party control.

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

Mr. Chairman, the issue before this House today is this: Will we respond to the will of the people whom we represent, or will we turn our backs on them in order to pursue our own institutional interests? We talked about many issues in this debate. We will be discussing those issues as we go forward in the debates on the individual amendments that will be presented. But that is the real issue. The American people are saying loudly and clearly that they want fundamental change, not just a change in the leadership of the Congress, but a change in the way the Government does business, a change in the way this institution is structured.

□ 1545

The American people are demanding term limits because they want Government to be more effective and less intrusive. The American people are demanding term limits because they are tired of having their lives run by politicians in Washington who have lost touch with what it means to live and work in the real world. The American people are demanding term limits because they are tired of having Representatives who come to Washington and never leave. They are demanding more competitive elections and Representatives who will put the interests of the people and the interests of the Nation ahead of their own individual careers. The American people are demanding term limits and for good reasons.

Our most responsible course of action is, indeed it is our duty, to respond to their demand, to listen to the voices of the people, to vote in favor of limits on the terms of Members of Congress. To my colleagues I say, ''Listen to the voice of the people. Shut your ears to the voices of those who are defending the status quo.''

One other issue I think we must focus on here is I do not think this should be a partisan debate, but there, I believe, has been an attempt by some to confuse the issue and to avoid responsibility. But despite those efforts, the American people will now know who supports term limits. They will see how the Members vote. We are going to vote. There will be a final vote on this issue, yes or no, on what is left standing at the end of the day. What the American people will see is that Republicans overwhelmingly support term limits and that most Democrats,

sadly, are opposed to term limits. That is the undeniable truth. The American people also know that the Republicans have brought this issue to the floor for the first time in the history of the Republic while the Democrats kept it bottled up for years. I think the American people understand that.

The American people can count. They will see how the votes come down.

Mr. STOKES, Mr. Chairman, I rise strong opposition to House Joint Resolution 73, the term-limits constitutional amendment. While I am aware of the movement in the Congress to change the Constitution to suit any whim that comes to the current majority, I am also mindful of my duty as a Member of this great body to act in the best interest of the people I represent and in the best interest of the U.S. Constitution I have sworn to uphold.

We cannot and should not shirk our responsibility to act in the best interest of the American people by disrespecting the Founding document of this Nation—the U.S. Constitution. This shortsighted legislation will not only fail to ensure better representation of the American people in Congress, but will cruelly snatch from all Americans their ability to express their will through the ballot box.

The bill before us today, the term-limits constitutional amendment, attempts to curtail the ability of the American public to choose their Representative. It also weakens this Republic by subverting some of the most important Constitutional principles that represent the foundation of this Nation, the electoral process and representative Government. Such an abdication of congressional responsibility will certainly undermine many of our important efforts to enhance voting rights, civil rights, and our democratic system that is the envy of the world.

Mr. Chairman, the Republicans state in their Contract With America that the purpose of the term limits constitutional amendment is to provide for consideration in the House two different versions of a term limits constitutional amendment. The first version of the constitutional amendment would impose a limit of six terms on serving in the House and two terms on serving in the Senate. The second version would impose a limit of three terms on serving in the House and two terms on serving in the Senate. Both versions are designed to be applied prospectively.

House Joint Resolution 73, warps the Constitution to such an extent that the overall stability of the Constitution would be placed in question. While I agree that Congress should continue to make significant strides to enhance service to the people we represent, this proposed measure goes well beyond the legitimate objective of making the Government more representative. The power the American people have to select and elect representatives to Congress has been granted exclusively to the people by the United States Constitution and should not be abridged.

Mr. Chairman, removing from the American people the power to select who represents them in Congress is fundamentally antidemocratic. A term limits amendment to the U.S. Constitution in unnecessary. The fact is, term limits already exist. Every 2 years, Members of the House, and every 6 years, Members of the Senate, must submit their political lives to the will the people who first elected them. The American people have the right to determine who serves them and how long they serve.

Establishing an arbitrary length of time for Members of the House and Senate to serve the people is contrary to the Democratic principles upon which this Nation is based. Who are we to challenge the decisions of the people concerning who will represent them. It is the height of arrogance for Members of this body to attack the wisdom of the American people and the genius of the architects of this Nation.

So cherished by the American people is the right to vote and participate in our representative form of government that five historic constitutional amendments have been enacted by the Congress to ensure that all Americans have the right to select their representatives in Congress—the 15th amendment, 1870, prohibited States from denying the right to vote on account of ''race, color, or previous condition of servitude;'' the 19th amendment, 1920, enfranchised women; the 24th amendment, 1964, banned poll taxes; the 26th amendment, 1971, directed States to allow qualified citizens who were age 18 or older to vote and; finally, the equal protection and due process clauses of the 14th amendment, 1868, came to be read as preventing States from enacting suffrage laws that conflict with fundamental principles of fairness, liberty, and self-government.

Term limits will upset the delicate balance of powers crafted in the U.S. Constitution. The Constitution clearly places with the people the power to select and elect their representatives in Congress. The term limits constitutional amendment will transfer a significant portion of this constitutional power to the President and the judiciary. The weakening of Congress by arbitrarily prohibiting our most experienced legislators from serving this Nation in the Congress is unwise and tips the balance of powers against the legislature of this Nation.

The great constitutional significance of the separation of powers cannot be questioned. In his famous *Myers* v. *United States,* 272 U.S. 52 (1926) dissent, Justice Louis D. Brandeis said: ''The doctrine of the separation of powers was adopted by the Convention of 1787, not to promote efficiency but to preclude the exercise of arbitrary power. The purpose was not to avoid friction, but, by means of the inevitable friction incident to the distribution of the governmental powers among three departments, to save the people from autocracy.'' (p. 293).

Mr. Chairman, I must also stress that the benefits of term limits are greatly exaggerated. Without any term limit constitutional amendment Congress receives regular transfusions of ''new blood.'' If we look beyond the re-election rates on a Congress-by-Congress basis, we see that 52 percent of the current House Members were initially elected in 1990 or later. If term limits of 6 years in the House and 12 years in the Senate were in place, nearly half of the current Congress would have been ineligible to serve when the 104th Congress convened.

The devaluation of experience in the Congress would not only be ill-advised, it would be irresponsible. We cannot and should not experiment with the Constitution, Americans' right to vote, or the stability and security of this Nation to satisfy a campaign promise.

I would also like to add that the historical record for term limitations is not supported by a review of constitutional history, either. It is clear that the Founding Fathers of this Nation believed that term limits were neither necessary or appropriate, and those who did seek such limits expressed a belief that the Constitution itself needed to be fundamentally changed also.

This lack of historical support for term limitations can also be found in the Founders' transition from the Articles of Confederation to the Constitution as we know it today. Although term limits were included in the Articles of Confederation, they were wisely specifically excluded by the Founders of this Nation from the Constitution. The historical record simply does not support the incorporation of term limits into the U.S. Constitution.

Mr. Chairman, this legislation is unsurpassed in its compromise of the people's right to representative Government and the balance of powers in our Nation. With very little opportunity for open hearing, and with limited debate, this measure has been placed before us. A measure of this kind requires detailed analysis of the impact it may have on the American people, and the greatest pillars of the American Republic: the voting franchise and the separation of powers—but no such review has, or will, take place. In the current rush to force this bill through the House, the will of the American people and the Constitution I have sworn to uphold will certainly be compromised. I urge my colleagues to join with me and vote against this bill.

Mr. FAZIO of California. Mr. Chairman, I rise in opposition to House Joint Resolution 73.

Mr. Chairman, this bill comes to the floor today with the Republican leadership knowing that they do not have the votes to pass this legislation to amend our Constitution. History, public policy, and common sense dictate that we reject this ill-conceived attack on the Constitution.

THE FRAMERS OF THE CONSTITUTION EXPRESSLY REJECTED TERM LIMITS

The Framers of the Constitution debated and expressly rejected term limits. Few people know that the original document governing the newly formed Nation after the battle for independence, the Articles of the Confederation, had term limits.

Those limits, known as rotation, limited delegates' service under the Articles of the Confederation to no more than 3 years in any 6-year period. As we all know, the Articles of the Confederation were a failure. To replace that failed document, the Framers met in the Constitutional Convention to write our Constitution.

During that Constitutional Convention a delegation from New York, who had the very timely name of Robert Livingston, had this to say:

> The people are the best judges of who ought to represent them. To dictate and control (the people), to tell them who they shall not elect, is to abridge their natural rights. . . . I repeat that (term limits are) an absolute abridgement of the people's rights.

At the close of that debate, the delegates to the Constitutional Convention expressly rejected term limits as a dangerous and destructive force that obliterates the people's right to chose their own leaders. The Constitution is a timeless document—the product of the finest political minds ever to assemble for a single cause.

As someone who reveres the Constitution and as someone who takes very seriously my sworn oath to support and defend the Constitution of the United States, I suggest that we adhere to the wisdom of the Framers of the Constitution and reject term limits.

THE CONSTITUTION'S ''QUALIFICATIONS CLAUSE'' SETS FORTH THE ONLY REQUIREMENTS FOR CITIZENS TO BECOME MEMBERS OF CONGRESS

After rejecting the Articles of the Confederation's rotation term limit system, the Framers set forth the qualifications they deemed essential to service in Congress.

Article I, section 2 sets forth the constitutional qualifications for Members of the House of Representatives:

> No person shall be a representative who shall not have attained the age of twenty-five years, has been seven years a citizen of the United States, and who shall, when elected, be an inhabitant of that state in which he shall be chosen.

The Framers of the Constitution thus clearly articulated three simple qualifications for Members of the House of Representatives: Representatives must be 25 years of age, citizens of the United States for at least 7 years, and citizens of the State they will represent in this great body.

The Constitution's qualifications clause is unequivocal. The Constitution does not allow for any additional restrictions on candidates for Congress. Nor does it give to the States the power to set additional, extra-constitutional requirements for office.

Again, those who support the Constitution and those who claim to adhere to original intent should heed the wisdom of the Framers who set forth three very simple and clear qualifications for citizens to hold office. Apart from these three qualifications, the only limit embraced by the Framers is the on-going requirement that any Member be able to command a plurality, if not a majority, of the vote.

WE HAVE TERM LIMITS: THEY'RE CALLED ELECTIONS

To those who say times have changed so now we must change by adding term limits, I make two observations. First we have term limits already—they're called elections. The November election results show that term limits are unnecessary.

Fifty-two percent of the Members of this House were elected in 1990 or later.

The right to vote—a right people all over the world continue to fight and die for—that power to vote carries with it the right to vote people out of office. That's why we have elections.

Second, the times do change but the Constitution rarely changes form.

The Constitution has been amended only 27 times over 200 years since ratification. Times change, but changes to the document that is the very foundation of our democracy should be carefully considered and well-reasoned.

TERM LIMITS DESTROY THE DELICATE BALANCE OF POWERS

The Constitution has in place a very delicate, well-balanced separation of powers. The three branches of Government—the legislative, the executive, and the judicial—each have a very specific role to play.

Perhaps the most important role of any one branch is to act as the check and balance on the other two branches. Term limits rob Congress of its ability to act as check on the executive branch.

During the 104th Congress, we have heard a steady stream of criticism about bureaucrats: bureaucrats, bureaucrats, bureaucrats.

If we pass term limits, does anyone believe that the bureaucracies will be more responsive?

You think you have trouble getting responses to the letters and phone calls you make to Government bureaucracies today—imagine the response you'll get when you have term limits hanging over your head. With term limits the bureaucrats can just burrow-in and wait you out.

Further, if every Member of Congress was required to resign after 12 years, the influence that comes with experience and expertise would be passed to longtime staff members. These individuals are elected by no one, and, therefore, are not directly accountable to the voters. Remember, you can't place term limits on the unelected. Bureaucrats, staff, and lobbyists all have the right to hang around, manipulating the process with the power of institutional knowledge.

THIS IS A PURELY SYMBOLIC ACT, NOT REAL TERM LIMITS

Before the elections of November, the Republican Contract With America was presented as an iron clad promise to deliver. It was only after the election that the Republicans started to highlight that all they had really promised was a vote on the contract provisions.

Today, they will hold this purely symbolic vote. The Republican leadership knows that they do not have the votes to pass this measure. Now they are looking for a way to place the blame on the Democrats.

NINETEEN YEARS OF DELAY: THE HOLLOW REPUBLICAN SCHEME

Putting aside the fact that the votes are not here to pass this bill—let's look at the hollow nature of this symbolic act.

First, the bill is a constitutional amendment that must go to the States. The measure gives the States 7 years to ratify the amendment. In addition, the 12-year limit is not retroactive.

That means it could be 19 years before any person would be affected by this purely symbolic act—7 years for enactment plus 12 years before it becomes applicable.

If the Republican leadership wants to address this issue and address it now, why have they set in motion a 19-year process? Nineteen years—this term limits plan is a fraud.

You can draw an analogy to the Republican tax plan. Just as Republicans want to handcuff future generations with debt to pay for a tax cut for people who make more than $200,000 a year, this phony term limits bill aims that saddling future generations some 19 years down the road with term limits.

We shouldn't give a tax cut to people making $200,000 a year while we hand the bill to your children. Likewise, we shouldn't pass a phony term limits bill and say to people 19 years in the future, ''it's your problem—deal with it.''

TERM LIMITS ABRIDGE THE FUNDAMENTAL RIGHTS OF VOTERS

The measure of all things we do in this Chamber is and should be the effect of our actions on the citizens of this country. Voters have a fundamental right to choose their own Representatives.

Term limits allow voters in one district to dictate to voters in another district that they cannot continue to reelect their own Member, no matter how effective that Member has been.

Let's give the American public a little credit.

After all, the voters really know best who they want to elect and for how long. In a democracy, individuals should be able to vote for the Representative of their choice.

Altering our Nation's Constitution to limit the number of terms a person may serve restricts the right of voters to choose who will represent them. Under term limits, the right of the people to choose their own leadership is taken away.

Majority rule is a cornerstone of democracy; it's not majority rule for some arbitrary period not to exceed 12 years.

Respect the Constitution; respect the intelligence of the American people; respect the delicate balance embodied in the Constitution's separation of powers. Vote no on term limits.

Mr. MANTON. Mr. Chairman, I rise in opposition to a constitutional amendment to impose limits on the terms of Members of the House and Senate.

Mr. Chairman, the well-oiled, elitist, multimillion-dollar campaign being waged in support of term limits has disparaged the so-called career politician and attacked Members of Congress as individuals who are intoxicated with power and out of touch with the people they represent.

But the central issue in this debate is not the virtue or wickedness of incumbency; instead, this debate is about our faith in the ability of citizens to choose the person who can best represent them in Congress.

Term limit proponents cynically believe that average citizens are simply incapable of making a thoughtful decision when they enter the voting booth every 2 years. I strongly reject that notion. Since 1990, we have had a greater than 50-percent change in the membership of the House. This statistic proves that voters know how to rid themselves of an elected official whom they do not support.

I have faith in the voters of the Seventh Congressional District of New York, which I represent. The citizens in Queens and the Bronx are bright, hard working people who have an active interest in the government and the elected officials who represent them. They often, and sometimes forcefully, express their views on the important issues that affect their everyday lives. And every 2 years they have an opportunity to determine who, from their community, can best represent those views in the Congress.

The right of the people to freely elect their representatives is the fundamental foundation of democracy. Any infringement on that right is a threat to democracy.

Despite the somewhat differing views the Founding Fathers may have had on the issue of term limits, the Constitution is unambiguous on this issue. The Founding Fathers expressly rejected the idea that the terms of Members of Congress should be limited by anything other than place of residency, age, and, of course, the voters.

Some term limits proponents have argued that the Constitution should be amended from

time to time to reflect the changing needs of our society. They cite the 13th amendment ending slavery, and the 19th amendment giving women the right to vote as examples. I agree that we should improve the Constitution to expand and protect the fundamental rights of our democracy. But we should reject any attempt to diminish or usurp those rights.

Mr. Chairman, I believe in our representative democracy. I trust the wisdom of the Founding Fathers. And I have full faith and allegiance in the ability of the citizenry to ensure that government remains accountable to the people.

Mr. CRANE. Mr. Chairman, I rise in strong support of a constitutional amendment to limit the terms of Members of Congress. While several different proposals have been discussed today, I believe that it is vitally important that we allow the States to ratify a constitutional amendment for congressional term limits, regardless of the final version.

I have been a long-time supporter of term limits. In 1985, I introduced my first bill to set a 6-year limit on service for both Members of the House and Senate. Although I promoted such an idea for a decade, neither I, nor my colleagues who supported term limits, had an opportunity to bring such an idea to the House floor. While I personally prefer my term limits proposal, I am very pleased that the issue of term limits has finally come to the floor for a vote.

To those of my colleagues who oppose term limits because it was not part of the Constitution, I would suggest that our Founding Fathers did, indeed, believe that rotation in office was vital to a representative democracy. In fact, Thomas Jefferson, after reviewing the Constitution, wrote to James Madison: ''The second feature I dislike [the first being the absence of a Bill of Rights], and greatly dislike, is the abandonment in every instance of the necessity of rotation in office. * * *''

During the early days of our Republic, service in Congress was generally limited to 4 years in the House and one 6-year term in the Senate. However, these were self-imposed limits on service.

In closing, I would urge my colleagues, despite their preferences for one term limit proposal or another, to vote yes on final passage for term limits, and send it on to the States for ratification.

Mr. CLINGER. Mr. Chairman, I rise in favor of submitting to the states for consideration Congressman MCCOLLUM'S proposed constitutional amendment limiting Members of Congress to 12 years of service.

Many advocates of term limits believe they are necessary to bring government closer to the people by replacing career politicians with citizen legislators. Other advocates suggest term limits are needed to isolate decisionmakers from the whims of their constituencies so they can do what is in the best interests of the country, not just their States or districts. The common theme among all term limits supporters, however, is that Congress as an institution is not serving the American people well and it needs to be changed.

Whatever the reasons for their support of term limits, advocates have made great strides in energizing and organizing grassroots America. The popularity of congressional term limits has been demonstrated by their adoption in 22 States since 1990—21 of which were passed by State ballot initiatives.

Although I intend to vote to initiate a national debate on the issue, I have concerns about a constitutional amendment establishing term limits. I am personally not convinced that an arbitrarily imposed limit is necessary or wise. Voters have the power to limit an ineffective Member's term every 2 years when they go the ballot box. In fact, about one half of all Members currently serving in the House have been elected since 1990.

I also am concerned that term limits may severely diminish the power of the House and Senate in relation to the executive branch. Unelected bureaucrats, whose careers are not limited, would hold a considerable advantage over inexperienced legislators in the technical knowledge that can only be learned over time. I have the same concern with regard to congressional committee staff, whose expertise on the issues may cause the people's elected representatives to follow rather than lead.

I understand the benefits of membership turnover, new blood brings new, often innovative, ideas and solutions to our country's problems. Nevertheless, there is also something to be said for experience and institutional memory. Today's world and the problems confronting us are so complex that experience, expertise, and institutional memory should be considered an asset, not a liability. The Federal Government alone has become so enormous that it takes several terms just to get a handle on the thousands of Federal agencies and programs and their functions.

Frankly, I feel there is a better alternative to term limits which will improve membership turnover, infuse new blood and new ideas into Congress, and ensure elective representatives are held more accountable to their constituents. That alternative is campaign finance reform that levels the playing field between incumbent and challenger.

I think Congress' problems may have less to do with career politicians and more to do with noncompetitive elections that allow undeserving incumbents to return to Congress year after year. Incumbents are often left unaccountable for their actions in Congress because of their overwhelming re-election advantages including high name recognition, franking privileges, campaign contributions from PAC's and fellow congressional campaign committees.

To restrict the incumbent's advantages, in prior Congresses I have introduced three campaign finance reform bills which would reduce the role of PAC's and increase the role of constituents, ban congressional leadership and campaign committees from contributing to another candidate's campaign, and create a tax credit for instate contributors. I plan to reintroduce these bills after we return from April recess.

Considering my misgivings about term limits, one might ask, why is BILL CLINGER casting an ''aye'' vote for the McCollum substitute?

Clearly, the people have spoken on term limits, and I feel it is appropriate for the national debate on this issue to continue. Should the House and Senate adopt identical amendments, the measure would then go to the States for their consideration. I believe that this process should be allowed to move forward, and that this important issue must be decided by the people.

Although I generally do not advocate governing by referendum, the debate on term limits is unique. In the eyes of some Americans, there may be a basic conflict of interest in Members of Congress deciding whether or not to impose term limits on themselves. To some, it just does not pass the smell test.

If Congress blocks this term limits measure and stifles the national debate on the value of term limits, I fear the American public will lose complete confidence in Congress. They will assume Members voted against term limits out of self-interest, no matter how many convincing arguments against term limits are raised.

I feel it would be healthier for Congress as an institution and, indeed, our country as a whole if we permit this debate to continue.

Mr. PACKARD. Mr. Chairman, when I ran for Congress in 1988, I explained very carefully to the people of the then-22d Congressional District of Illinois that I believed in a citizen-legislator form of government.

I had taught American government for several years and had no doubt that the Founding Fathers meant our national legislature to be a citizen legislature.

Citizens were to train themselves for a profession, leave that profession for a time to serve in the House, and return to their profession. Believing as such, I voluntarily limited myself to 10 years of service if it was the will of the people to elect me for such a period of time. I have every intention of keeping that promise.

I have always believed, until the last couple of years, that any limitation on service in the Congress should not be mandated, except by a vote of the people with regards to the individual who seeks to represent them in this body.

I would like to explain why I no longer believe as I did and the reason I now favor term limits.

When I came here in January 1989, two things were readily apparent. One, the special interests had exaggerated influence on the development of legislation in this body by virtue of the tremendous amount of money they spent on congressional campaigns, and two, the ability of incumbents to advantage themselves by use of the frank and other incumbent promotion devices not available to a challenger, were truly overwhelming.

Ninety-nine percent of all incumbents were reelected to office every term because they received almost all special interest campaign funds and because of their use of the system to promote themselves. Even during the last two elections when we had tremendous turnover in the House, 94 and 90 percent of incumbents were reelected, respectively.

I believed, at the beginning of my tenure here, that the Congress would enact meaningful campaign finance reform eventually, leveling the playing field for challengers and making the possibility of reasonable turnover in the Congress possible.

I no longer believe we will accomplish this task because of the wide differences in party philosophies on this issue. Nearly every year in which I have served we have addressed campaign finance reform only to see it dissolve into a watered-down version of nothing. Term limits of a reasonable length may be the only way to level the playing field.

Let me address additional arguments put forth against term limits.

Some say term limits restrict voters choices. I believe the greater restriction on voters' choices is the ability of the incumbent to totally

dominate an election by outspending challengers sometimes 10 to 1 because of special interest money that accrues primarily to them.

Most campaigns are run by 30-second commercials and incumbents dominate the airways. The incumbent is allowed to send unsolicited mass mailings for the 2 years in office telling the constituents of all the good things that he or she is doing on their behalf. Challengers do not have that opportunity at taxpayers expense.

Others say the turnover of more than 50 percent of the House in the last two elections prove term limits are unnecessary. But the turnover was almost exclusively in open seats where no incumbent was running. In 1992, incumbents still won 94 percent of their seats, and in 1994, they won 90 percent.

Some people cite the loss of experience as the most important reason to defeat term limits. But the real experience that is important in this job is the experience we bring to the job, the experience of having been educators, farmers, or businessmen.

The experience we gain here is process and it is important. But the decision-making skills we bring to the job are even more important. How do we know unless we are willing to expand the possibilities of other people bringing their skills to this job that we are not overlooking other experiences that may have even greater impact on solving the problems of this country.

The voters are indeed the best judge of who ought to represent them but their deliberations must be exposed to a full and balanced view of each candidate. I do not believe our present system allows this.

So therefore I intend to support the 12-year term limitation as a constitutional amendment.

Mr. ROEMER. Mr. Chairman, I rise in opposition to term limits for Members of Congress.

Since I have been in Congress, I have been a leading advocate for overhauling the way Congress works. I have supported cuts in the size of congressional staff and committees and simplifying this institution's operations. But we do not need term limits to make changes in Congress. The last two elections clearly demonstrate the power of the ballot. Today, 40 percent of Members are serving their first or second terms and more than half of this body, including myself, was elected after 1990. Real term limits are at the ballot box, and that is where they should be. Every time voters go to the polls, they make the decision of whether to limit the term of their elected representatives.

Most importantly, term limits would interfere with the fundamental right of voters to elect their own representatives. The people are the best judge of who ought to represent them and can be trusted to choose their representatives without Government stepping in to arbitrarily regulate their choice.

Term limits ignore the need for experience in Congress, where intricate public policy issues are deliberated. Imagine if term limits had restricted the public service of our Founding Fathers. James Madison spent a total of 43 years in public office. His public career began as a member of the committee of safety from Orange County in 1774 and after holding a number of other State offices, Madison attended the Continental Congress for five 1-year terms and was then elected to the first Congress in 1789. He was subsequently reelected to the second, third, and fourth Congress for a total of 8 years of service. Madison finally served as Secretary of State and President in the final 16 years of his distinguished public service.

Thomas Jefferson served in various positions in public office for 35 years. After serving as a member of the house of burgesses and the Constitutional Congress, Jefferson was elected Governor of Virginia in 1779. Despite an announced ''end of his public life,'' Jefferson was elected to Congress under the Articles of Confederation in 1783 and later served as plenipotentiary to France and was appointed as the first Secretary of State under George Washington's Cabinet. Jefferson later served as Vice President and completed his public service as President from 1801 to 1809.

Imagine the outcome of the Constitutional Convention and the first formative days of our Nation's evolution without Thomas Jefferson and James Madison and other Founding Fathers such as John Quincy Adams who, because of term limits, would not have had the opportunity to invest their lives in the genesis of the United States.

Do we want to send the wrong message to our Nation's brightest and most qualified individuals who look forward to serving their country and promoting the best interests of their constituencies? Do we want to write this term limits disincentive into our Constitution?

What other countries have term limits? If we look to the South, Mexico has strict term limits. Do we want to follow the lead of a nation of term limits such as Mexico, which despite serious political and economic tumult, completely replaces its Senators and its President every 6 years?

This Nation's future depends on the integrity and caliber of the people leading it. Important and substantive areas of legislation rely on individuals with the leadership, experience, wisdom and the judgment that might come from terms of service. We cannot afford to disqualify whose who can bring sound judgment achieved through years of experience to the increasingly demanding tasks of elected office. Term limits would destroy this opportunity and make Congress an institution where inexperience is more valued than professionalism and experience.

The Founding Fathers used the same arguments against term limits during the Constitutional Convention in 1787 that are being heard today. In the Federalist Papers No. 71, Alexander Hamilton challenged proposals amending the Constitution to include rotation for the Delegates and the President because it ''interfered with the people's right to choose their officials, depriving the new government of experienced officials and reducing the incentives for political accountability.''

In the Federalist Papers No. 53, James Madison wrote that a few Members of Congress will possess superior talents and will become masters of public business. The greater the proportion of new Members, Madison wrote, ''the more apt they will be to fall into the snares that may be laid for them.''

Robert Livingston, during New York's debate on the adoption of the Constitution, said that the people are the best judges of who ought to represent them. To dictate and control them and to tell them whom they shall not elect, ''takes away the strongest stimulus to public virtue—the hopes of honors and rewards.'' Although rotation in office was considered as part of the Articles of Confederation, it was ultimately rejected by the members of the Constitutional Convention.

Aside from taking a fundamental right away from citizens, term limits pose a number of risks that could aggravate the problems facing Congress as an institution. For instance, they are likely to increase the power of special interest organizations and lobbyists, congressional staff and the executive branch, all of whom are significantly less accountable to the public.

Term limits will also create the potential hazards that more Members of Congress will favor special interests as their term of service expires and they look forward to their next career. In this vein, Alexander Hamilton argued that term limits would tempt ''ignoble views'' by office holders who would have thought about nothing else than what their next job would be rather than focusing on the people's business. As a Wall Street Journal columnist recently indicated, ''Instead of fresh-faced citizen legislators, we would end up with men and women who knew that after 12 years they had to seek a new line of work, most probably with the very interests that are lobbying them.''

Term limits are not an appropriate or effective solution to the problems facing our political system. They would undermine a cornerstone of our democracy—the right to vote.

I have a picture of the U.S. Capitol in my congressional office. Under the magnificent and historic picture of this building is a quote from one of the most distinguished Founding Fathers, Alexander Hamilton. He said about government and the Capitol; ''Here, Sir, the people govern.'' It is the people who should run Congress. It is the people who should vote. It is the people and the ballot box that will suffer if a gimmick like term limits succeeds.

Mr. KIM. Mr. Chairman, the American people overwhelmingly support a constitutional amendment limiting the terms Members of Congress may serve in Washington. I believe that the power of term limits has become an issue of national debate because Washington is simply out of touch with the voters back home.

Today, votes will be taken on four term limit measures, and the one that receives the most over 218 will be the one voted on for final passage. While we have preferences, I nonetheless intend to support every proposal. Any one of them is better than none at all.

I am voting for the Peterson-Dingell-Frank amendment that imposes retroactive term limits of six terms on Representatives and two terms on Senators. Making the law apply to those who impose it would be the best way to serve the interests of the American people. Why are 12 more years needed for those who have already served this amount of time? Haven't they had a chance to fulfill their elected promises already? While this would affect the 218 Members who have or are already serving three terms in office, 218 is only half of the House. We've had that kind of change over the past 4 years. The result? Real action—such as the Contract With America. Has the quality of representation declined in the 104th Congress or other States due to term limits? I would have to say no.

I am also supporting the Inglis amendment. My first choice is for the House to implement this measure, which provides three 2-year terms in the House and two 6-year terms in the Senate. Two years ago the citizens of

California, through a ballot initiative, limited the terms of Federal legislators to 6 years in office. The Inglis amendment upholds the position of California.

The Hilleary amendment, my last choice, have set lifetime limits of 12 years in the House and 12 years in the Senate. It does not preempt any of the term limit proposals currently passed by the States and is not retroactive. That means a 12-year term limit imposed by the State of North Dakota would be able to keep legislators in Congress longer than California because of its 6-year limit. I believe this would be unfair and would create uneven representation on a national level. Nonetheless, this is still better than nothing.

The fourth measure I intend to vote for is the McCollum 12-year term limit amendment. This legislation limits Representatives to six full terms and two terms for Senators. Because this is a 12-year limit and therefore different from California's I concur with the amendment's provision which preempts State law. That ensures that all States are on a level playing field and that no State has a seniority advantage over others.

I have been listening to opponents of term limits argue today that such an amendment would limit the amount of experience legislators have in representing their constituents in Washington. They also point out that there will be a lack of qualified people to run for congressional offices. These concerns are unfounded.

Term limits have already been imposed on other State and Federal political offices. My own State of California has passed a 6-year term limit on State legislators. So far, it has not had a problem with attracting qualified individuals to compete for open seats. As a matter of fact, after California passed term limits in 1990, the number of candidates running for office increased by 40 percent. Term limits have broadened the field and improved the competition.

The 22d amendment to the Constitution, which took effect in 1951, restricts the term of office for the President of the United States to two terms. Thirty-five States impose term limits on their Governors. And, the government has not fallen apart. If term limits are good enough for them, they should be good enough for U.S. Congressmen and Senators.

The longer Members serve in Congress, the more removed they can become from the voters who elected them. The American people want to send representatives to Washington who truly understand what it means to work hard for a living, pay their taxes, and make ends meet for their families. They believe that a citizen legislator rather than a career Congressman best represents their interests.

The imposition of term limits is in no way a judgment on the quality of representation in the House today. I have served with some outstanding Representatives. However, I have noticed that the lure of Washington and all of its trappings of power can overcome some. Inside-the-beltway politics have a way of taking priority over the legitimate bread and butter concerns of average Americans. Term limits should prevent Members from becoming out of touch with their constituencies.

I also do not believe that term limits will cause a disorderly transfer of power. As a result of the past two elections, almost 50 percent of the House is comprised of new Members. This has not caused a breakdown of the system.

However, from a review of modern congressional history, this positive turnover is an exception—not the norm. The fact that one party controlled the House for 40 years straight—and that a noticeable number of older Congressmen have served and in some cases controlled—this House for 15, 20, 25, or 30 years proves that change must be institutionalized.

There is the illogical fear that the power will not remain with the representatives sent by the voters to Washington, but will slip into the hands of the unelected bureaucrats who serve them. This will never happen because elected officials always have had the option to hire and fire congressional staffers. As a matter of fact, it was not until the House passed the Congressional Compliance Act of 1995 that staffers were given virtually any rights at all.

Therefore, I believe the term limits amendment should be added to the Constitution so we can move forward and restore accountability to the U.S. Congress. It's time to stop talking and start the term limit clock ticking.

Mr. BEREUTER. Mr. Chairman, this member has supported nationwide congressional term limitations the past and currently is an original cosponsor of legislation in the 104th Congress to accomplish just that in the form of an amendment to the U.S. Constitution. In addition, this Member cosponsored term limitation legislation the first day of the 103d Congress—the first legislative day after Nebraska offered term limits by citizen initiative. This was necessary to protect Nebraska's interest vis a vis other States who had not passed similar congressional term limits. This Member believes that the prevailing criteria for any congressional term limits must be a nationwide standard. Otherwise, this Member must reiterate his belief and previous statements that the unilateral action by this Member's home State of Nebraska in passing a term limitation for its congressional delegation places Nebraska at a disadvantage in terms of seniority and representation when compared with the congressional delegations from other States without such limitations.

Under the rule, the House will consider four constitutional amendments in the nature of a substitute under a winner-take-all procedure. This Member has carefully examined the four substitutes and provides the following analysis of these measures.

First of all, this Member supports the passage of the McCollum 12-year term limit proposal, the base bill, since this Member has been cosponsoring it since the first day of the 103d Congress. Therefore, this Member hopes that the McCollum provisions are the final passage vote.

Second, this Member will vote for the Inglis 6-year term limit alternative even though, in this Member's judgment, it is not in the best interest of the country. That is an issue about which people can legitimately disagree, and voting for this provision which is, in this Member's judgment, of doubtful merit, is not a violation of our oath of office. This Member's vote for it can only be justified on the basis that it is what the people of Nebraska overwhelmingly approved during the last election. This Member does not see any clear justification for substituting his judgment for their collective judgment even though this Member laments the payment for petition circulators and the inordinate amount of out-of-state money used by supporters as is unfortunately still permissible under Nebraska State law.

Third, this Member intends to vote ''no'' on the Hilleary 12-year cap alternative because it does not preempt State law. Thus if the U.S. Supreme Court permits under the Arkansas case, or a subsequent case, other States could have a 12-year, a 10-year, or an 8-year term limit while Nebraska will be stuck with a 6-year limit; that would put Nebraskans at a disadvantage. While it is true that the Inglis alternative also does not preempt State law, but it provides for a 6-year term limit and no State is likely to limit terms to less than 6 years; thus, Nebraska at least would not be at a disadvantage under the Inglis alternative.

Finally, this Member will vote against the Peterson-Dingell-Frank retroactive term limit alternative as a transparently disingenuous, partisan ploy.

Again, this Member supports nationwide congressional term limits and will vote in accordance with that stance.

Mr. PASTOR. Mr. Chairman, supporters of term limits suggest they are restoring the intent of the Founding Fathers of creating a citizen legislature. That's why the term limits constitutional amendment we are considering today is called the Citizens Legislature Act.

Those advancing that argument to justify term limits spin history on its head. According to the Congressional Research Service, the Framers of the Constitution were unequivocal in their rejection of terms limits for Members of Congress. Our Founding Fathers thought term limits was a bad idea more than 200 years ago; it is a bad idea now; and it will be a bad idea 100 years from now.

I call my colleagues' attention to excerpts from the Congressional Research Service report which treats the constitutionality of congressional term limits.

[From the CRS Report for Congress, Jan. 2, 1992]

THE CONSTITUTIONALITY OF STATES LIMITING CONGRESSIONAL TERMS

(By L. Paige Whitaker)

III. FRAMERS' INTENT

State imposed term limits appear to conflict with the intent of the Framers of the Constitution to eliminate the policy of compulsory rotation in office. The concept of rotation in office was embodied in the Articles of Confederation, which provided that delegates to Congress could serve for no more than three years in any six-year period.[15] As a result, the issue of rotation in office was debated during the adoption of the Constitution.

Rotation, as proposed by the anti-federalists, would force members of Congress to step down from office for a period of time and live among the people in their former rank of citizenship. It was intended to provide members with a greater knowledge of their country and constituency, in order for them to return to the Congress as more informed legislators, with a greater sensitivity to the concerns of their constituents.[16] The anti-federalists also argued that a rotation requirement would prevent the abuses of corruption and would encourage a greater number of people to hold public office.[17]

After assiduous debate, however, the Framers rejected rotation, citing the right of the people to freely elect and the importance of experienced legislators. As Robert R. Livingston stated during the New York debates:

Footnotes at end of article.

''The people are the best judges who ought to represent them. To dictate and control them, to tell them whom they shall not elect, is to abridge their natural rights. This rotation is an absurd species of ostracism—a mode of proscribing eminent merit, and banishing from stations of trust those who have filled them with the greatest faithfulness. Besides, it takes away the strongest stimulus to public virtue—the hope of honors and rewards. The acquisition of abilities is hardly worth the trouble, unless one is to enjoy the satisfaction of employing them for the good of one's country. We all know that experience is indispensably necessary to good government. Shall we, then, drive experience into obscurity? I repeat that this is an absolute abridgment of the people's rights.[18]''

In response to the anti-federalists claim that rotation would prevent corruption, the federalists argued that indeed, the very prospect of reelection would provide a legislator with an incentive to be responsive to the needs of his constituents. If a legislator knows that his re-election depends on the ''will of the people'' and is ''not fettered by any law,'' he will serve the public well. On the other hand, if he knows that no matter how well he serves, he is precluded from re-election, ''he will become more unambitious, and regardless of public opinion. The love of power, in a republican government, is ever attended by a proportionable sense of dependence.''[19] As Alexander Hamilton similarly remarked, ''[w]hen a man knows he must quit his station, let his merit be what it may, he will turn his attention chiefly to his own emolument.''[20]

As evidenced by their debate, it is clear that the Framers intentionally rejected rotation in office. In so doing, it appears that they also rejected the policy underlying state imposed term limits. Commentators have concluded that in view of this deliberate rejection by the Framers, the qualifications clauses can only be interpreted as a prohibition on the states from limiting the re-election of their congressional delegations.[21]

FOOTNOTES

[15] Art. of Confed. art. V, cl. 2.

[16] 2 Debates on the Adoption of the Federal Constitution 288 (J. Elliot) (1888) (speech of G. Livingston).

[17] *Id.* at 310 (speech of M. Smith). With regard to corruption, Smith argued: ''A rotation I consider as the best possible mode of effecting a remedy. The amendment will not only have a tendency to defeat any plots which may be formed against the liberty and authority of the state governments, but will be the best means to extinguish the factions which often prevail, and which are sometimes so fatal to legislative bodies.''

Concerning the argument that rotation would encourage participation in government Smith commented: ''If the office is to be perpetually confined to a few, other men, of equal talents and virtue, but not possessed of so extensive an influence, may be discouraged from aspiring to it.

[18] *Id.* at 292–93 (speech of R. Livingston). In accord, Alexander Hamilton commented that, ''It has been observed, that it is not possible there should be in a state only two men qualified for senators. But, sir, the question is not, whether there may be no more than two men; but whether, in certain emergencies, you could find two equal to those whom the amendment would discard.*.*.* The difficulty of obtaining men capable of conducting the affairs of a nation in dangerous times, is much more serious than the gentlemen imagine. *Id.* at 320–21 (speech of A. Hamilton).''

Also note that, as Madison made clear in Federalist 63, the purpose of the Senate was to provide stability and expertise: ''Without a select and stable member of the government, the esteem of foreign powers will not only be forfeited by an unenlightened and variable policy, proceeding from the causes already mentioned; but the national councils will not possess that sensibility to the opinion of the world, which is perhaps not less necessary in order to merit, than it is to obtain, its respect and confidence. The Federalist No. 63, at 422 (J. Madison) (J. Cooke ed. 1961).''

[19] *Id.* at 298 (speech of R. Harrison).

[20] *Id.* at 320 (speech of A. Hamilton).

[21] Note, *Limits on Legislative Terms: Legal and Policy Implications,* 28 Harv. J. Legis. 569, 586–87 (1991). The authoritative commentator on the Constitution, J. Story, similarly concluded: ''the states have just as much right, and no more, to prescribe new qualifications for a representative, as they have for a president. Each is an officer of the Union, deriving his powers and qualifications from the Constitution, and neither created by, dependent upon, nor controllable by, the states.'' J. Story, *Commentaries on the Constitution of the United States* §626, at 101–102 (1970 ed.)''

Mr. CUNNINGHAM. Mr. Chairman, I rise in strong support of the Citizen Legislature Act, the constitutional amendment to provide term limits for Members of Congress. This important plank of our Contract With America demonstrates that we are serious about keeping our word with the American people: to hold a first-ever vote on term limits on the House floor.

Despite the tremendous changes in last November's elections, many Americans are still mistrustful of Congress. Many Americans believe that career legislators have too much power and too much at stake to make the tough decisions facing the Nation. I believe our Founding Fathers never intended for Member of Congress to be a career choice. Rather, they envisioned a system where people from all walks of life would become involved in public service for a few years, and then return to their profession or trade. Since coming to Congress in 1991, I have always known that I would return to the private sector, sooner rather than later.

On the first day of the 104th Congress, I cosponsored both House Joint Resolution 2, the McCollum resolution, and House Joint Resolution 3, the Inglis resolution. I did so because both of these resolutions were part of our Contract With America and I believed that it was part of my contract with California's 51st District to bring the term limits issue to the floor of the House.

After a great deal of reflection, I have decided that the best alternative before the House is the McCollum amendment. Since. I began my public service, I have consistently stated that I believe a 12 year term limit is the most appropriate manner to address this question. The McCollum amendment, as embodied in House Joint Resolution 2, would mean a sweeping change in our political system, limiting House members to six terms and Senators to two terms.

The McCollum amendment is fair and tough. It is fair in that it preserves the balance of power between the House and the Senate. It is fair because it treats all States equally. And make no mistake, it is tough. Under McCollum, those of my colleagues who have viewed Congress as a career are in for a surprise.

I urge my colleagues to support the McCollum amendment and support term limits. We know that is what the American people demand. We should heed their call.

Mr. BARRETT of Nebraska. Mr. Chairman, I rise in support of limiting service in both the House and Senate to 12 years, albeit I will vote to do so with reservations.

I'm proud that House Republicans have fulfilled yet another promise in the Contract With America by bringing—and I stress bringing—before the American public a fair debate about limiting the terms of Members of Congress.

Our contract did not guarantee passage nor enactment of every item. Whether term limits pass on Thursday afternoon or not, this debate is a tribute to Speaker GINGRICH, the Republican leadership, and to Mr. MCCOLLUM, and it is a check mark in the success column. I hope the media get that straight.

I'm of the opinion that, as provided by our Founding Fathers, Members of Congress already serve limited terms—2 years in the House and 6 in the Senate—and that they can be dismissed by the voters at the end of those terms.

As will be mentioned often in this debate, the 104th Congress is evidence to those term limits; 52 percent of the House is serving their third term or less. Overall, the average length of modern service is between six and seven terms. And looking at our average age, which falls just short of 51, it's obvious that most Members came to Congress after establishing themselves in the private sector.

But the voters apparently aren't happy with these results, and in response to their demands, we're here debating further limiting congressional service.

Understandably, voters are frustrated and dissatisfied with the performance of Congress—legislative gridlock, scandals of recent years, and the size and cost of Government are ample reasons to earn the voters disdain.

We have also done our part to foster their contempt by our increasing tendency to legislate for the sound bite. I'm continually amazed how some Members find glory in despising and trashing the institution in which they have chosen to serve.

In that respect, I am disappointed in this debate. Members on both sides have forgotten that honest men and women can disagree on an issue of such magnitude. And while we were sent here to represent our constituents' wishes, we were also elected to exercise some independent judgment and reasons on behalf of the Nation and her future. The Wall Street Journal chart on the editorial page March 28 was unfair and misleading in this regard to Members who oppose additional term limits.

My home State of Nebraska is 1 of the 22 States that have voted to impose term limits on its congressional delegation. The issue was on the ballot in both 1992 and 1994, and my constituents knew both times that, while I would support certain term limits, I opposed the Nebraska ballot initiatives. My votes today and tomorrow will be fully consistent with that position.

I agree with the constitutional experts who conclude that limiting congressional terms would require an amendment to the U.S. Constitution, and I expect the Supreme Court will later this spring or summer hold that term limits imposed by the States are invalid.

And just as importantly, I believe it would upset any balance of power between the States to impose limits in a patch-work fashion. It would be unwise and detrimental to Nebraska's representation in Congress to impose additional term limits on its small five-member delegation when other States, especially those more populous, could decide to have no limits.

Further, I believe firmly in the equality of the two Chambers established by our Founding Fathers. They improved upon the English model of an upper and lower House to establish Chambers of equal power, with one more deliberative and the other more responsive to the mood of the country.

I can realistically look at this point in my life, and service in the House, and say that should

additional term limits as now discussed be imposed, they will not have an impact on me. Therefore, it is with no self-interest or self-preservation in mind that I say that there are serious drawbacks to term limits.

And most certainly, I think it is a disservice to the electorate if these drawbacks are not thoroughly understood and part of the public debate. These include:

Additional congressional term limits will limit the voters right to chose their representation. Term limits assume that new is always better and, unlike other vocations—and I am talking about the citizen legislator as a vocation—that experience does not make for a better legislator. Also, term limits would, without doubt, put much more power into the hands of non-elected congressional staff, bureaucrats, and special interest lobbyists. Those are not tired arguments, and they should not be dismissed out of hand.

It is, at best, a toss up of whether term limits, had they been in place, would have solved the problems that have generated the public's frustration with Congress. Operational and procedural reforms in the institution of Congress itself—which we now have begun to accomplish under Republican leadership—and campaign finance reform are just two areas where directing our effort could make more certain and better changes.

Having said all this, I will, as I stated at the beginning of these comments, vote to limit congressional service.

I will vote to respect the will of the American people, who have given strong indication that additional term limits is their desire. I'll also exercise my personal judgment for the country, however, that anything less than 12 years is unrealistic, and the same limits must be imposed on both House Members and Senators from all 50 States.

I urge my colleague to join me in voting for the McCollum 12-year limit.

Mr. BALLENGER. Mr. Chairman, the concept of term limits, while at least as old as our Government itself, has been repeatedly rejected by complacent Members of Congress whose tenures have lasted as long as 53 years. Unfortunately for these career politicians, Congress can no longer ignore the Americans voter's profound and growing desire for a true citizen-legislature that is intended to serve the people in a better, more responsive manner. Since 1990, 22 States have imposed their own term limits, 21 through voter initiatives, and polls consistently show public support at as high as 80 percent. Though it is clear why career politicians do not wish to place limitations on themselves, it is time to obey the will of the American public. With much of the Contract With America completed, this is one more opportunity to show our commitment to those who elected us and to respond to the change they demanded on November 8. By passing term limits and putting the interests of our constituents before our own, we can institute the concept of the citizen-legislature that our Founding Fathers envisioned over 200 years ago.

The CHAIRMAN. All time for general debate has expired. Pursuant to the rule, the joint resolution is considered as having been read.

The text of House Joint Resolution 73 is as follows:

H.J. RES. 73

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States.

''ARTICLE —

''SECTION 1. No person who has been elected for a full term to the Senate two times shall be eligible for election or appointment to the Senate. No person who has been elected for a full term to the House of Representatives six times shall be eligible for election to the House of Representatives.

''SECTION 2. No person who has served as a Senator for more than three years of a term to which some other person was elected shall subsequently be eligible for election to the Senate more than once. No person who has served as a Representative for more than one year shall subsequently be eligible for election to the House of Representatives more than five times.

''SECTION 3. This article shall be inoperative unless it shall have been ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

''SECTION 4. No election or service occurring before this article becomes operative shall be taken into account when determining eligibility for election under this article.''

The CHAIRMAN. No amendments to the joint resolution are in order except the amendments specified in House Report 104–82, which shall be considered in the order specified in the report, may be offered only by the Member designated in the report, may be considered notwithstanding the adoption of a previous amendment in the nature of a substitute, is considered read, is debatable for 1 hour, equally divided and controlled by the proponent and an opponent of the amendment, and is not subject to amendment.

If more than one amendment is adopted, only the one receiving the greater number of affirmative votes shall be considered as finally adopted.

In the case of a tie for the greater number of affirmative votes, only the last amendment to receive that number of affirmative votes shall be considered as finally adopted.

The Chair, in addition, also announces that under rule XIV, clause 6, the proponent of each amendment made in order under the rule will have the right to close debate since the measure under consideration has been reported from the committee without a recommendation.

It is now in order to consider amendment No. 1 printed in House Report 104–82.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. PETERSON OF FLORIDA

Mr. PETERSON of Florida. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. PETERSON of Florida: Strike all after the resolving clause and insert the following:

''ARTICLE —

''SECTION 1. No person who has been elected to the Senate two times shall be eligible for election or appointment to the Senate. No person who has been elected to the House of Representative six times shall be eligible for election to the House of Representatives.

''SECTION 2. Election as a Senator or Representative before this Article is ratified shall be taken into account for purposes of section 1. Any State limitation on service for Members of Congress from that State, whether enacted before, on, or after the date of the ratification of this Article shall be valid, if such limitation does not exceed the limitation set forth in section 1.''.

Mrs. FOWLER. Mr. Chairman, I claim the time in opposition to the amendment offered by the gentleman from Florida [Mr. PETERSON].

The CHAIRMAN. Pursuant to the rule, the gentleman from Florida [Mr. PETERSON] will be recognized for 30 minutes, and the gentlewoman from Florida [Mrs. FOWLER] will be recognized for 30 minutes.

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

Mr. PETERSON of Florida. Mr. Chairman, I invite everyone to study closely the Peterson-Dingell amendment.

As the gentleman from Illinois [Mr. HYDE] so eloquently put it today, we see signs all over the Hill today saying, ''Term limits, yes.'' What they fail to say is, ''Term limits now.'' That is what this amendment is all about.

I want to go back though through a lot of the general debate we had, a lot of people talking about what was the reason why we are doing term limits. I have my own thoughts on that, and may I relate that to my colleagues?

Virtually every Member of this House has run against the House to get elected, as have all the candidates as well. We have had scandals galore, we have had gridlock, we have had personal attacks on this floor, and we have had, yes, unfair rules, and the people out there understand this. They understand that the sitting members are the ones that are accountable, and that is what this amendment is all about.

My amendment is a 12-year limit, much like H.R. 73. It also allows a State preemption as long as they do not exceed the 12 years, and, as I say and repeat, it is the only amendment that has immediacy, retroactivity. It applies immediately upon the ratification of the amendment in the United States.

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

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

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

Mrs. FOWLER. Mr. Chairman, I rise in strong opposition to this amendment. While I have the greatest respect for my fellow Floridian, I think his amendment is out of step with what the American people want.

The American people want term limits. They want them now. And they want them to apply to incumbents. And the three Republican-offered amendments do all of these things.

Let me say that again: All three Republican-offered amendments apply to each and every one of us who are here now. They treat us no differently than any other person who might run for office—neither preferentially nor punitively. The term limits movement is not motivated by a desire to be punitive.

Supporters of this amendment cite poll numbers that they claim show a majority of the American people support retroactive term limits.

I say, let us look at the most accurate polling data—elections. Twenty-two States have put term limits questions on the ballot, and not one of them adopted retroactive term limits. Keep in mind, these were all citizen initiatives drafted by the people themselves. Only once—in Washington State—did anyone even try to impose retroactive limits, and that bill was soundly defeated. It appeared on the ballot the next year without retroactivity and passed. This amendment would force Washington State to make their term limits retroactive.

Members should also know that this amendment is poorly drafted.

The first part of section 2 declares that any prior service will count against the limit. In other words, it is retroactive.

The very next sentence is the States rights clause, declaring that the amendment respects all the State laws.

The problem is, as I mentioned earlier, not one of the States wanted retroactive term limits. Every single State term limits law was drafted specifically to be prospective.

This amendment preempts the prospective nature of all 22 State term limits laws and forces them to accept retroactivity. All the while pretending to be respectful of States rights.

The 22-State term limits laws are not identical. Some are 6-year limits on House Members, some are 8, some are 12. Some are lifetime bans, others are not. The one feature that is consistent through all the States is the prospective nature of their term limits laws. It is the one feature that this amendment seeks to undo.

Members should feel comfortable rejecting this amendment based solely on its schizophrenic nature and poor drafting.

Members should also keep in mind that we are hardly breaking new ground here. There is already a term limits amendment in the Constitution. The 22d amendment limits the President to two terms. That amendment states, ''this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress.'' Not only did Congress reject the idea of retroactivity when it came to term limits for the President, but they actually went the other way and grandfathered the incumbent.

Also keep in mind that article 1, section 9 of the Constitution states, ''No bill of attainder or ex post facto shall be passed.'' Any retroactive action violates the spirit of the Constitution itself.

This amendment is offered and supported by the most vocal opponents of term limits.

Every major proponent of term limits opposes the amendment—Mr. MCCOLLUM, Mr. INGLIS, Mr. HILLEARY, and myself. It is also opposed by grassroots supporters of term limits: the Term Limits Legal Institute, the Christian Coalition, Citizens Against Government Waste, the National Taxpayers Union, United We Stand, and the American Conservative Union.

A vote for the Peterson-Dingell-Frank amendment is a vote against term limits. I urge Members to vote ''no'' and support any of the three real term limits amendments that will follow.

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

Mr. PETERSON of Florida. Mr. Chairman, I yield myself such time as I may consume for just a reply to my colleague the gentlewoman from Florida.

This is a real amendment. This is the toughest amendment. This affects every sitting House Member. This is a cop-out if anybody walks away from this.

Mr. Chairman, I yield 3 minutes to my friend, the gentleman from Michigan [Mr. DINGELL].

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

Mr. DINGELL. Mr. Chairman, this is the real thing. I say to my colleagues, if you're for term limits, you're for this amendment. If you're not for this amendment, you're not for term limits.

What this says is that term limits go into effect immediately upon the ratification of this amendment if the States act upon it. A large number of Members will depart. If that is the will of this body and the will of the people, then so be it. I, as the dean of the House, will be amongst the first to go. Many of my colleagues think that this is just fine because, ''It's not going to affect me in the immediate future.'' The answer to all of this is that immediately, upon the adoption of this amendment, if you have served your 12 years, you will be ineligible for reelection.

A lot of people think that the people are in favor of term limits. If they, in fact, are in favor of term limits, they are in favor of this amendment because it is immediate, and the polls so show. If the Members are trying to identify whether people are angry with them, and with whom they are angry, and on whom they want term limits, my colleagues, it is upon you, it is upon me, and it is upon all of us because that is what the situation is.

Let us reflect a bit on what we have:

First of all, it will be 5 to 7 years before term limits are approved by the States. Then it will be an additional 6 years or an additional 12 years. So we are now up to somewhere between 11 to 19 years before term limits will go into effect. The newest of the new Members will at the time that term limits have gone into effect have served probably as much as 20 years. During that time they would have achieved all of the emoluments of long-term service, and, if a Member who serves here for a long time is achieving some measure of corruption by having so done, they will become amongst the most corrupt then of the Members.

Now here is again what happens with regard to term limits under the Contract With America:

Years of service. At the time this goes into effect, instead of having served 40 years, I will serve 59 years. The gentleman from Georgia [Mr. GINGRICH] under the McCollum-Hilleary amendment will have served 36 years, almost as long as I have served today. The gentleman from Missouri [Mr. GEPHARDT] 38 years; the gentleman from Texas [Mr. ARMEY] 30 years; the gentleman from Michigan [Mr. BONOIR] 38 years; the gentleman from Tennessee [Mr. HILLEARY] and all of his class will have served 20 years. They will have achieved the status of old bulls. They will have served here a long time.

Now I say to my colleagues, contemplate yourself going home and trying to explain to the people that you serve. ''I'm for term limits,'' you say, and they say, ''Hooray,'' but you don't tell them that you are for term limits which will begin somewhere between 13 and 20 years from today. It's pretty hard to say that you are expecting that people are going to believe you if they know the facts as to whether you're really for term limits or opposed. The hard fact is, if you don't vote for the amendment which is cosponsored by the gentleman from Florida [Mr. PETERSON], the gentleman from New York [Mr. ENGEL], the gentleman from Illinois [Mr. GUTIERREZ], the gentleman from Texas [Mr. BARTON], and I, you're voting for something which essentially is an illusion. It is, in fact, regrettably something which deceives the average person because you will never make a person believe that you are out to clean up a situation with which you say they find fault if you don't vote to make this of immediate effect.

What this says is that immediately upon ratification term limits goes into effect. Under McCollum-Hilleary it will go in somewhere between 17 and 19 years in the future, and under Inglis, somewhere between 11 and 13 years. My counsel for my dear colleagues is, ''If you want to be judged fairly as having been somebody who believed in what you did and believed in what you said,

vote for the Peterson-Dingell substitute, vote for a real honest limitation on term limits, and then go home and justify what you have done.''

Mr. Speaker, George Santayana once said that, ''Fanaticism consists of redoubling your efforts when you have forgotten your aim.'' This point seems particularly relevant today. You might recall that in 1947, a constitutional term limit on Presidents was ratified by a Republican Congress, which had been entrusted by the American people to make the difficult decisions necessary to move our Nation forward in the postwar era. In reality, the 22d amendment was a Republican attempt to get even with Franklin Roosevelt and the New Deal.

Almost a half century later, we find a Republican Party still spooked by FDR's legacy, and 40 years of progress under a Democratic House. Showing a renowned lack of originality, they have dusted off term limits as part of their new agenda in the Contract With America, this time to limit the length of service for Members of Congress. I am pleased that, despite the inclusion of term limits in the contract, that this plank is in trouble because of opposition from Republicans and Democrats. These are Members on both sides of the aisle who share a faith in the ability of Americans to make up their own minds when they go to the polls.

Those who charge that retroactive term limits are unfair may recall that President Truman was grandfathered from the 22d amendment. At the time, the Republicans did not want to appear too partisan by attacking Truman.

For them, the pleasure came in attacking his deceased predecessor—who was elected to the Oval Office four times and is viewed by most historians as among our best Presidents. Despite the Republican special exemption given to President Truman, he limited his own service and chose not to run for reelection in 1952.

In the spirit of this Truman exemption, the Republican leadership has presented us with four amendments under a closed rule. Three of these choices exempt the service of current Members of Congress, so that when this debate is over, the Speaker will have the chance to serve almost as long as I have. This is because under the main amendment, it could take another 19 years before any constitutional amendment would completely remove current Members of the House.

Mr. Speaker, beside me is a partial list of current Members who would be forced into retirement the Peterson-Dingell amendment were ratified by the States today. As you can easily see, it limits all sorts of people from both side of the aisle.

To give a little more perspective, in 2014, that would give me just over 59 years of service—if I run and the people of Michigan's 16th Congressional District so choose. The Speaker would have 36 years under his belt, although not all of those could be as Speaker, since under the new House rules, he is under a self-imposed term limit of four consecutive terms that will force him to leave the Speakership for a 2-year sabbatical every 8 years.

Santayana also observed that those who fail to learn from history are condemned to repeat it. Today's debate fulfills that prophecy. When one examines the history of the Presidential term limit. Moreover, only two Presidents—Republicans—have found themselves constrained by it, and the Republicans sought vigorously to find away around it for the patron saint of their party, President Reagan.

One of the major arguments for adopting a term limits constitutional amendment is because its popular. We have been bombarded by reports in the press that up to four out of five Americans wants term limits. If any of my colleagues are basing today's decision on popular opinion polls, I feel it is my duty to inform you of one fact: that same majority wants congressional limits applied to you.

Only the Peterson-Dingell amendment gives Members a chance to avoid the charge of hypocrisy by addressing immediacy; in other words, the immediate application of all time served by sitting Members of the House and Senate. The Peterson-Dingell amendment is simple: apply to yourself that which you would apply to others. Under the amendment, all service counts, whether you're in your first term or your 20th term. In the 104th Congress, this means that 157 House Members would be ineligible to run for another term if Peterson-Dingell were ratified today. A list of those Members is available for those who wish to consult it. In addition, 67 Senators could never again run for the U.S. Senate under the Peterson-Dingell amendment.

As some of your might guess, I must confess that Senate term limits would trouble me quite a bit less than House term limits.

It was expressed in earlier debate that Peterson-Dingell might lead to a very disorderly transfer of power. However, a look at recent history shows that chaos is unlikely. In fact, the House has just completed a transfer of power between the parties, and the Republic is still in tact. In 1993, 11 freshman Members took seats in the 103d Congress. So 157 retirements would not be devastating on a numerical basis. As I have long stated, the loss would be in terms of legislative experience which would empower bureaucrats, lobbyists, and congressional staff to make decisions made today by all of us, who are held accountable by the people every 2 years.

It's no secret. I oppose term limits. Why? Because I believe in the power of democracy, the sanctity of the ballot box, and most of all, the ability of voters to decide for themselves who will best represent them. I am joined by like-minded people from both sides of the aisle, Republicans and Democrats who understand that term limits would imperil democracy. However, if in a rush for results, we decide to impose congressional term limits to address problems better solved through meaningful campaign finance reform, we have a duty to approve a constitutional amendment which is free from hypocrisy. The other amendments cast a shroud of self-interest over the Constitution. There is only one amendment which puts truth in term limits. Vote only for Peterson-Dingell.

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Mrs. FOWLER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Utah [Mrs. WALDHOLTZ].

Mrs. WALDHOLTZ. Mr. Chairman, it is time to expose those who now piously stand as would-be term-limit martyrs. I stand as an unquestionable supporter of term limits, and as unalterably opposed to this amendment.

Eight out of ten Americans support term limits, yet, for years the Democrat-controlled Congress ignored the will of the people and in their arrogance, refused to even debate the issue. But, when the American people swept a new majority into the House for the first time in 40 years, Democrats scrambled for a purely political position. And retroactivity is the rock they are hiding under. Members on the other side of the aisle have wrapped themselves in the banner of term-limits and proclaim themselves as having the only consistent position: applying term limits retroactively.

But as the term-limit debate has unfolded this year, I realize that many of those who most vigorously support retroactive term limits are the very same Members who worked to block consideration of term limits in the past.

Because I wanted to know what my colleagues had previously said about making term limits retroactive, I went through the transcript of the hearings held in the last Congress—the 103d Congress—on term limits. Mr. Chairman, I could not find any reference by my colleagues to applying term limits retroactively.

Twenty-two States have passed term limits, yet not one State has made term limits retroactive. In fact, only one State has put a retroactive term limit on the ballot, Washington State, and that initiative was defeated. Why? Because the voters are smarter than the retroactivity proponents think they are. The voters know that this is a debate about principle, not personality. The voters are not looking to send half this Congress home next year automatically—through retroactive term limits. The voters are looking to ensure that the abuses wrought in past Congresses by too much seniority—ranging from the post office scandal to the national debt—can never happen again.

As this debate began, I considered the principle of retroactivity very carefully. I looked at both pros and the cons. I looked at what the voters have done in 22 States already. But when I looked at who was pushing retroactivity the hardest, I realized it was the same people who tried to kill term limits in the past. Retroactivity is a stumbling block that has been thrown up to stop term limits. Members who oppose term limits have dressed themselves in the proverbial sheep's clothing in an attempt to suppress the will of the people.

Mr. Chairman, term limits will restore the idea of a citizen legislature to this Congress. It will forever block the excesses of seniority that have marred this House and robbed the people of their faith in their Government.

If term limits fails in the House this day, it will not be because of the over-three-fourths of Republicans who will vote for it. It will be because of those on the other side who hope to regain and hoard their political power and seniority, and who are now seeking to