a 15-year withdrawal period. This is consistent with the Military Lands Withdrawal Act of 1986 and with earlier legislation which provided a 15-year withdrawal for Nellis Air Force Base in Nevada.

The Army would prefer a 25-year withdrawal period because of the substantial lead time required to comply with all statutory and administrative requirements to process military land withdrawals. However, the Army can support this compromise of a 15-year withdrawal period.

I would note that the text of the bill you see before you is virtually identical to legislation which passed the House in the previous two Congresses.

As I said, Fort Carson's immediate past mineral withdrawal expired on June 23, 1992. That withdrawal has been extended, both administratively and through a 1-year legislative extension in 1992. This is an important administrative matter, and I hope the other body will move quickly on this legislation so that we can send this measure to the White House for the President's signature.

I urge my colleagues to support this legislation.

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

Mr. RICHARDSON. Mr. Speaker, I yield myself such time as I may consume.

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

Mr. RICHARDSON. Mr. Speaker, this is the third time the House has considered this legislation, having passed it previously in both the 102d and 103d Congress. H.R. 265 would withdraw and reserve for military use certain public lands and minerals in two existing military-use areas, the Fort Carson Reservation and the Pinon Canyon maneuver area, both in Colorado.

I would note that H.R. 256 differs from the version of the bill that passed the House in the last Congress. The bill now includes amendments that were adopted by the Senate Energy and Natural Resources Committee in the bill they reported to the Senate last year. If the Senate had been able to pass the bill, it is my understanding that the House would have likely gone along with those changes.

Mr. Speaker, I hope for the sponsor, Representative HEFLEY's sake, that the third time around on this legislation is the charm. I support the legislation and recommend its adoption by the House.

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

Mr. HEFLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would comment in response to the comment of the gentleman from New Mexico [Mr. RICHARDSON], this has become like the cherry blossoms. It is a rite of springtime here in Washington. I hope this is the last time we have to look at this bill, and that we can get it passed and move on to other things.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RICHARDSON. Mr. Speaker, I yield 4 minutes to the gentleman from Texas [Mr. ORTIZ], the ranking member of the Subcommittee on National Security.

Mr. ORTIZ. Mr. Speaker, let me thank the gentleman from Colorado, Chairman HEFLEY, for the outstanding job he has done.

Mr. Speaker, I would like my colleagues to know that there is no controversy with respect to this legislation. This bill passed the Committee on National Security without dissent. An identical bill previously passed the House of Representatives and has passed the U.S. Senate. It passed the Committee on Resources on January 18 of this year by a vote of 42 to 0. The Department of the Army and the Bureau of Land Management support this bill.

Mr. Speaker, I ask for support of this legislation.

Mrs. SCHROEDER. Mr. Speaker, I rise in support of H.R. 256. As my colleagues have stated, there is no opposition to this bill. This is the second year this bill has been taken up. It has been favorably reported out of both the Natural Resources and National Security Committees. I would like to thank my colleagues involved who have put so much work into getting this bill to the floor.

Mr. RICHARDSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado [Mr. HEFLEY] that the House suspend the rules and pass the bill, H.R. 256.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HEFLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 256, the bill just passed.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 73, TERM LIMITS CONSTITUTIONAL AMENDMENT

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 116 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 116

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for 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. The first reading of the joint resolution shall be dispensed with. General debate shall be confined to the joint resolution and shall not exceed three hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the joint resolution shall be considered for amendment under the five-minute rule. The joint resolution shall be considered as read. No amendment shall be in order except those specified in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order specified in the report, may be offered only by a Member designated in the report, may be considered notwithstanding the adoption of a previous amendment in the nature of a substitute, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. If more than one amendment is adopted, then 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, then only the last amendment to receive that number of affirmative votes shall be considered as finally adopted. At the conclusion of consideration of the joint resolution for amendment the Committee shall rise and report the joint resolution to the House with such amendment as may have been finally adopted. The previous question shall be considered as ordered on the joint resolution and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSON], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, I am honored to open this historic debate and mindful of the significance of our discussion. As we speak, reports suggest that there are not yet enough votes to pass the constitutional amendment limiting Members terms. A loss on this issue will be decried by some as failure—but that would miss the point. It is a victory to be here having this debate, to have a rule that forces Members to come clean on where they really stand on term limits. We promised this vote—and we have delivered. It was not so long ago, that Tom Foley was Speaker of this House—the same man who sued the people of his own State over this question; the same man who refused to allow term limits to come to the floor for an honest vote. We may or may not have the 290 votes when all is said and done here this week, but either way the issue of term limits is not going away. There are 22 States with term limits; 80

percent of Americans want term limits; and there is another election coming in November 1996. The final vote taken here Thursday afternoon will be irrefutable to our constituents, as they watch to see where we stand individually and collectively. It is a vote that matters and Members should know there is no place to hide.

Mr. Speaker, this rule offers Members a chance to consider the major issues involved in this debate. The rule makes in order as base text House Joint Resolution 73. I should note that this text is the same as was used as the chairman's mark in the Judiciary Committee. Although the committee adopted some amendments, the reported version came forward without recommendation, without much committee support on either side of the aisle and without a prime sponsor. The rule allows 3 hours of general debate, equally divided and controlled by the chairman and ranking member of the Judiciary Committee, after which Members will have the chance to vote on four substitutes, with 1 hour of debate on each. The minority was consulted and given the choice of which substitute to offer, and has chosen to present the 12-year, so-called retroactive Peterson-Dingell version. Subsequent to that vote, Members will vote on a 6-year proposal offered by Representative INGLIS and then a 12-year measure that does not preempt State limits offered by Representative HILLEARY. Last, Members will have a chance to cast their votes for or against the 12-year McCollum proposal, the version that is contained in the base text of House Joint Resolution 73. Once the amendment process is complete, the substitute that earns the most votes will be considered for final passage—the winner-take-all approach—at which time, because this is a constitutional amendment, 290 votes are needed. As is customary, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, I expect this to be a fascinating debate. Recognizing that very sincere and thoughtful people strongly oppose the concept of terms limits, passage is far from certain. But the mere fact that we are having this debate—and the coming series of votes—at all, suggests just how much change has taken place in this Capitol since January 4.

The fundamental, bottom line distinction that will be drawn in this process is the one most Americans are watching for: Who supports term limits for Congress. We can expect a fair amount of ducking and weaving by those Members who want to appear committed to term limits but might prefer that term limits disappear without enough votes for passage. Americans should not be fooled by the attempt of long-time term limits opponents to change the subject to one of so-called retroactivity. Americans should consider the source of that proposal. Keep in mind that most of its sponsors and those senior, status-quo Democrats who will speak up for it have never supported term limits, have never introduced such a bill, and did nothing when their party controlled this House to move that debate to the floor. It is a smokescreen and it should be defeated.

Mr. Speaker, Florida is a term limits State—the voters there have spoken for an 8-year limit on Members' terms. As a long-time believer in the need to shake up the status quo, create some national parity and still respect States' rights to establish their own, more stringent limits—I believe the best option before this House is the Hilleary proposal. Still, the most important mission we have this week is to verify if 290 votes exist to pass national term limits—in one form or another. I urge my colleagues to listen closely to what the American people are asking us to do. Either way, we will establish some clear accountability. Our constituents should appreciate that.

□ 1615

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

Mr. BEILENSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we object to this rule, and to the resolution that it makes in order. The issue before us—term limits for Members of the House of Representatives and the Senate—goes to the heart of our form of government, and it will be instructive for the House of Representatives to conduct a debate on this extremely important matter. But we have reservations about the procedure for considering this matter and, more importantly, we hope and expect that the outcome of this historic debate, will be the failure of all four versions of this ill-advised initiative.

Mr. Speaker, although the rule makes in order four different approaches to term limits, there is one critical aspect of this issue that this rule does not adequately address, and that is the question of retroactive coverage. Many on our side believe that, as a matter of equity and fairness, if we are going to limit the number of terms that Members who are first elected in the future may serve in the Congress, we ought to count the time already spent here by Members, at the time, term limits take effect. That is to say, we should not treat ourselves as new Members for the purposes of counting the number of terms once these limits take effect.

While it is true that one of the four versions of the term limit proposals made in order by this rule, the Peterson-Dingell substitute, would provide that previous service shall be taken into account when determining the number of terms a Member may serve, the issue of retroactivity is important enough that the membership ought to be able to consider it for each of the four alternatives to be put before us.

During the Rules Committee consideration of this rule, we offered an amendment that would have allowed any of the versions of term-limit proposals to be amended to provide for retroactive coverage. Unfortunately, our amendment was rejected. The result is that the membership will not have the opportunity to consider the issue of retroactivity with respect to three of the four different versions.

Aside from the procedural aspects of this debate, the substance of the term-limits issue is extremely troubling to many of us.

We are all mindful of current popular sentiment on this issue which favors limiting the number of terms a person may serve in the House or in the Senate.

But limiting the number of terms a person may serve would deny citizens a very fundamental civic right—the right to choose the people whom they want to be their voice in Washington. Voters would be prohibited from choosing to return to the Congress, after either 6 years or 12 years, as the case may be, a Representative or a Senator who is serving them to their satisfaction—and representing them better than they believe any of their electoral competitors would. And never again would they have the opportunity to be represented by someone who has more than 12 years, or possibly more than just 6 years, of experience in the Congress.

Imposing a term limit is like saying that the American people cannot be trusted to meet the challenge of self-government.

Experience in legislative work is valuable, just as it is in teaching, medicine, law, engineering, carpentry, and every other profession or vocation. Knowledge and wisdom are derived from experience in legislating, just as they are from experience in any other job.

How foolish and destructive it would be, to remove all of the most experienced legislators from the U.S. Congress, and to ensure that the Congress will, for the rest of time, be composed entirely of relatively inexperienced Members. How utterly senseless it would be to obliterate all the long-term institutional memory that exists among the men and women of this great institution.

Term limits would indiscriminately sacrifice too many experienced, effective, intelligent, honest, and skilled legislators of all political stripes.

Knowledge is power. If we remove from Congress the Representatives and Senators who have the most in-depth knowledge of the issues, who have had the most years of experience working on those issues, then we will greatly empower congressional staff, lobbyists, and Federal bureaucrats—Washington's permanent bureaucracy, as they are even now often referred to—because they will be the only people in and around the Capitol who have any institutional memory. Members will be far

more dependent on them for understanding what it is the House or Senate is considering, than we are now.

No matter how dedicated they are to the public interest, congressional staff, lobbyists, and bureaucrats are not elected by citizens to represent them in the Congress, and they are not accountable to the voters. They do not derive their power from standing for election every 2 years, as we do. I can think of nothing more damaging to representative government—to the responsiveness of our political system—than to reduce the power of those who are accountable to the voters, and to enhance the power of those who are not.

I have had the opportunity to preview, you might say, the effect of term limits when I served on the House Permanent Select Committee on Intelligence several years ago. As Members know, until this year, Members were prohibited from serving for more than 6 years at a time on that important committee.

Even though virtually every member of the committee had had several years of experience in Congress, we had no one on the committee who had any experience overseeing the operations of the intelligence community that extended beyond 6 years. Most of us found that it took us about 3 or 4 years just to learn the intricacies of the issues involved in intelligence operations, and then we had just 2 years to really use that expertise—to be in a position where we could pose challenging questions to the heads of the CIA and other intelligence agencies and make sensible decisions about the tens of billions of dollars of appropriations for those agencies that it was our responsibility to make. After those 2 years, Members would rotate off the committee and would be replaced by new members, who would take 3 to 4 years to get up to speed on these difficult and arcane issues before the committee.

The loss of the most experienced Members was a serious hindrance to the committee's effectiveness—so serious, in fact, that with strong support on both sides of the aisle, we have, just this year, extended the terms on the committee to four terms, or 8 years, with a fifth term, or 10 years, for the chairman.

Those of us from California have also observed what has happened in the California State Legislature, which now has a 6-year term limit. Knowing that they cannot stay for more than a very few years, legislators come into office looking for ways to use their short stint to make their next career move.

Many leave after 3 or 4 years and take jobs in the industries they have been overseeing as legislators, or they to look for other offices to run for. Two years from now, there will not be anyone in Sacramento, except staff and lobbyists, who has any kind of institutional memory. The citizens of California are being poorly served under these circumstances, and it would be a grave error to extend this failing system to our national legislature as well.

Mr. Speaker, I am among the majority of members of our party who find myself in disagreement with many of the initiatives that have been brought forth by our new Speaker, the gentleman from Georgia [Mr. GINGRICH] and his colleagues in the majority, across the aisle. But I take comfort in the fact that Mr. GINGRICH has been here for 16 years and understands the institution. I seriously doubt that the accomplishments of these past 3 months—like them or not—would have been possible if the Speaker, and the other members of the new leadership, and the new committee Chairs, were not the seasoned legislators that in fact they are.

Every Member of this body who is considering voting for term limits ought to think long and hard about whether we are truly serving the best interests of the American people if we force the House of Representatives, forever more, to elect leaders who have no more than 10 years of previous experience here—or worse, under the 6-year limit proposed by the gentleman from South Carolina [Mr. INGLIS] to elect leaders who have no more than 4 years of previous experience in the House.

Mr. Speaker, we are sympathetic to the frustration people feel about the Congress—that somehow, the system is just not working, that Congress is not solving the problems that people back home care about. But more rapid turnover in Congress is not the answer. There is already a huge turnover. Well more than half of the current members of the House were first elected since 1990 and, of course, the high turnover in the last election also resulted in the change in party control here. It is ironic that, having just emerged from an election which made the strongest case imaginable that term limits are unnecessary, we are now poised to vote on them.

Mr. Speaker, term limits would make Congress less responsive and less effective, not more so. They would deny the right of citizens to choose whom they want to represent them in Congress; they would ensure that Congress is composed entirely of relatively inexperienced legislators; and they would enhance the already considerable power of unelected and unaccountable staff, lobbyists, and bureaucrats.

Mr. Speaker, I urge our colleagues to vote no on the rule and no on all versions of the term-limit constitutional amendment that this rule makes in order.

Over the past 30 years, 14 constitutional amendments have been considered by the House of Representatives. Nearly half of the amendments (6) were considered under open rules.

OPEN RULE—6

89th Congress (1965–1966): H.J. Res. 1—Presidential succession. Considered under an open rule providing for four hours of general debate.

91st Congress (1969–1971): H.J. Res. 681—Direct election of the President. Considered under an open rule providing six hours of general debate.

92nd Congress (1971–1972): H.J. Res. 223–Vote for 18 year olds. Considered under an open rule providing two hours of general debate. H.J. Res. 208—Equal Rights Amendments. Considered under an open rule providing four hours of general debate.

94th Congress (1975–1976): H.J. Res. 280–DC Congressional Representation. Considered under an open rule providing three hours of general debate.

95th Congress (1977–1978): H.J. Res. 280–DC Congressional Representation. Considered under an open rule providing two hours of general debate.

DISCHARGE OF CONSTITUTIONAL AMENDMENT—2

92nd Congress (1971–1972): H.J. Res. 191—School Prayer.

96th Congress (1979–1980): H.J. Res. 74—School Assignment.

SUSPENSION—2

98th Congress (1983–1984): H.J. Res. 1—Equal Rights Amendment.

101st Congress (1989–1990): H.J. Res. 350—Flag Protection. Provided five hours of general debate.

KING-OF-THE-HILL—4

97th Congress (1981–1982): H.J. Res. 450—Balanced Budget.

101st Congress (1989–1990): H.J. Res. 268—Balanced Budget.

102nd Congress (1991–1992): H.J. Res. 290—Balanced Budget.

103rd Congress (1993–1994): H.J. Res. 103—Balanced Budget.

FLOOR PROCEDURE IN THE 104TH CONGRESS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5	Unfunded Mandates	H. Res. 38	Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive; considered in House, no amendments	N/A.
H.R. 2	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A.
H.R. 665	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 668	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A.
H.R. 728	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 729	Death Penalty/Habeas	N/A	Restrictive; brought up under UC with a 6 hr. time cap on amendments	N/A.

FLOOR PROCEDURE IN THE 104TH CONGRESS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
S. 2	Senate Compliance	N/A	Closed; Put on suspension calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive; makes in order only the Gibbons amendment; waives all points of order; Contains self-executing provision.	1D.
H.R. 830	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive; makes in order only the Obey substitute	1D.
H.R. 450	Regulatory Moratorium	H. Res. 93	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022	Risk Assessment	H. Res. 96	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 926	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925	Private Property Protection Act	H. Res. 101	Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058	Securities Litigation Reform Act	H. Res. 105	Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaness against it.	1D.
H.R. 988	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956	Product Liability and Legal Reform Act	H. Res. 109	Restrictive; makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive; Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) od rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73	Term Limits	H. Res. 116	Restrictive; Makes in order only 4 amendments considered under a ''Queen of the Hill'' procedure and denies 21 germane amendments from being considered.	1D; 3R.
H.R. 4	Welfare Reform	H. Res. 119	Restrictive; Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a ''Queen of the Hill'' procedure; All points of order are waived against the amendments.	5D; 26R.

** 78% restrictive; 22% open. **** Restrictive rules are those which limit the number of amendments which can be offered, and include so called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress. **** Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, H.R. 440.

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

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. LINDER], a very valuable member of the Rules Committee who has helped us craft this very fair rule.

□ 1530

Mr. LINDER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, this is an extraordinary day for those of us who believe that the American people are better served by dentists, teachers, and football players than by career politicians.

I strongly support the rule that will allow for the consideration of House Joint Resolution 2, the constitutional amendment to limit the terms of Members of the House and the Senate. I am pleased that four distinct constitutional amendments will be considered to address the major aspects of the term limits movement. The rule permits 3 hours of general debate and enables the House to engage in a full and fair debate on the length of the term limits, the question of retroactivity, and whether State law can be preempted by Federal law.

It is important to note that, in the past, the Judiciary Committee has never even considered term limit resolutions. Furthermore, the full House has never been permitted the opportunity to consider, debate, or vote on term limit resolutions. As you may remember, supporters of the term limits movement were forced to file a discharge petition in a futile attempt to get a discussion of this legislation last year. The Rules Committee was extraordinarily fair in approving four term limit substitutes in this first-ever debate, and it is really rather disingenuous for those who frustrated this debate for decades to argue that we are limiting debate.

I support term limits and personally believe that our Founding Fathers never intended for there to be a permanent governing class that would rule from Washington and lose touch with the citizens they were elected to represent. But that is not what we are debating here today. We are debating a rule that will allow the U.S. House of Representatives its first opportunity ever to hold ample discussions about the merits of limiting our service in this body.

There are Members on both sides of the aisle who have honest disagreements about the merits of term limits. Nonetheless, when 70 percent of the American people support something, there should be a vote on the issue on the floor of this Chamber. The American people have been denied this debate for far too long, and an affirmative vote on this rule grants them that debate.

This is the first rule on term limits in the history of this House, and it is a fair rule. I urge my colleagues to support House Resolution 116 and bring the term limits debate to the floor of the people's house.

Mr. BEILENSON. Mr. Speaker, for the purpose of debate only, I yield 3 minutes to the distinguished gentleman from Michigan [Mr. DINGELL].

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

Mr. DINGELL. Mr. Speaker, I thank my colleagues from the Committee on Rules for having made available this opportunity for me to offer an amendment to the legislation before us.

When our Founding Fathers debated the term limitation idea 200 years ago and more, they decided it was a bad idea. That was as a result of extensive debate on the merits and flaws of putting additional qualifications on persons seeking election to the Congress of the United States.

It was the feeling of the Founding Fathers that those decisions should be left to the voters, a wise judgment and one which I always supported. The decision not to include term limits in the Constitution was based upon free and open debate. Regrettably, we will not see free and open debate here because the Rules Committee has only permitted that four amendments will be available to the legislation before us. So, again, we have a rule which, as all will note is closed again.

Having said that, it was only just a few minutes after the House convened on January 4 that the first piece of legislation was brought to this body under a closed rule. Democrats argued that this was unfair. Republicans said, Do not worry. There will be free and fair debate in the future. That we still await.

We have now an amendment to the Constitution of the United States that will be considered, again, under a closed rule. It is interesting to note that it was so sloppily done in the Committee on the Judiciary that it was not even possible for the Committee on Rules to make that particular pronouncement by the Committee on the Judiciary in order.

It is interesting to note that that proposal has been rejected in its entirety and we now have a quite different matter than that which was originally laid before the House by the Committee on the Judiciary.

One interesting thing, and I speak now as the dean of this body, a Member who has served longer than anybody else, about the legislation is that it does not count the prior service of all of us who have served here. And so while we bravely and boldly say we are going to limit terms, we are limiting terms only of those in the future. And I will be permitted to serve here somewhere between the year 2014 and the year 2019. And every other Member who is here will have somewhere between 14 and 19 years.

Now, we are being charged outside of these halls with this being a hypocritical act. I am not going to say

whether it is hypocrisy or is not. But clearly, this is not term limits which is going to affect anybody who is not in this chamber. Indeed it is only going to affect those who will follow us. And all of us here present will be able to serve long enough to qualify fully for our pensions and to achieve the very continued circumstance about which everybody complains. And that is, on this side, that we have served here too long and that we must have some kind of a purgative which will clean this institution. If that is what we should do and if we are going to amend the Constitution, then it should be done by having it have immediate effect, not retroactive. Just say if you have served here and it is evil to serve here so long, then what we should do is to see to it that the term limits should apply fairly to all and that all should depart according to the vote.

We look to see how many of the enthusiasts for term limits will be voting for real term limits or whether they will want to shaft.

Mr. GOSS. Mr. Speaker, I would just respond to the previous speaker who so eloquently spoke about retroactivity, and so forth, that of the 22 States that have voted for term limits, not 1, repeat, not 1 has gone the retroactive route. And where it has been tested in State elections, it has been defeated. I think that is worth noting.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia [Mr. BARR].

Mr. BARR. Mr. Speaker, I thank the distinguished gentleman from Florida for yielding time to me.

Mr. Speaker, what an historic day, particularly for a freshman in this great body to be at the present, at the creation, present at the inception, present at the beginning of the first debate in modern times over whether or not the people of this great country will at long last, will themselves at long last have the opportunity to decide if they want, not if we want, but if they want limits on the number of years that our Senators and our Members of Congress can serve.

Mr. Speaker, it may be that those on the other side of the aisle find something nefarious here, find a hidden agenda, or are whining or complaining about the rule under which this debate is being initiated. But I stand here and say, praise the leaders of this Congress, praise the leaders of this party, praise the leaders of the committees, including the distinguished chairman of the Committee on the Judiciary in which we had full and fair debate on these issues, for bringing this issue at long last to this floor so that we can make a decision that the people of the 50 States can themselves decide.

Because if we do not give them that opportunity, then for all practical purposes, they will not have the opportunity for their voice to be heard and heard indeed it must, because the people of this country are tired of business as usual. They are tired of the status quo. They rose up on November 8 of last year and said, We want change; we want it now. We do not want to wait for eons or decades or years. We want change now. And today this hour, this evening and this week we are going to give them that change in this body by fully and fairly and openly debating whether or not the people of this country deserve to be able to themselves decide, as our Founding Fathers believed they have the right to decide, whether or not to have term limits.

Mr. Speaker, I stand here and say thank you for allowing me and thank the chairman of this distinguished body for allowing me the opportunity to be present at that debate. I say let the debate begin, and I say let the people have term limits so a breath of fresh air can indeed continue to squeak through these great chambers.

Mr. BEILENSON. Mr. Speaker, for purposes of debate only, I yield 4 minutes to the distinguished gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman from California for yielding time to me.

Mr. Speaker, I must say, I really do think this is business as usual. I find it very, very disappointing that we have this rule in front of us today. Right after this, all of this election happened, the then Speaker-Elect GINGRICH promised that each of the 10 items in the contract would come up under an open rule. Well, here we are. And guess what? That has not happened, over and over again.

But on this specific item, as briefly or as shortly ago as March 9, the gentleman from Georgia, Congressman LINDER, came to the floor and announced this would come up under an open rule. Well, guess what? Here we are, and it did not happen.

Now, what has happened here? There were 30 amendments printed in the RECORD. Not one will be made in order. Instead, they have carefully crafted a little rule where four substitutes will be made in order. And guess what? Three of them are Democratic. So I do not see any way you can say that this is a fair rule or an open rule or we are going to be able to come forward and have the kind of debate that everybody was told at the beginning of this session would happen on each of these individual items.

We have seen this pattern go on and on over and over again, and I really think it is really rather tragic. It certainly is a turnoff for the Members who worked hard, came forward with amendments that they felt were very sincere, had them printed in the RECORD so every one had notice. And then what happens? The Committee on Rules unilaterally just shoves them all off the table and says, We are not going to hear about any of those.

I could debate the substance of this, too. And I guess we are, sometime a little later on, going to debate the substance of it. One of the things I thought we ought to do, maybe we ought to talk about at that time is tattooing on everybody's forehead their spoil date when they get elected so we can remind people when we are supposed to rot. This is kind of an amendment saying that all of us will rot after 6 years or 8 years or 12 years or whatever in public office.

However, if you switch public office and go to be a Governor or go to be a Senator or go to be a President or go back and be a mayor or go to the State house, no, no, you can move laterally through the chairs anyway you want to. You just cannot stay in the same chair and learn the job well.

That does not make a lot of sense to me. But there are many things in here that I think it is like a lot of reforms. It sounded terrific. When you peel it away and start looking at it and thinking about how it is going to apply, you begin to understand why our forefathers turned this idea down over 200 years ago and why they continued to turn it down for over 200 years. And I am not too sure they were not really right, when you look at it all. But I think it is very sad that many Members could not offer amendments to point out these different nuances, and we could not have an open debate around here.

I think we know why. The fear is Members are going to leave the reservation or they could not get enough votes or they had to find some way to strong-arm Members around one proposal or another. But this is just too serious an issue.

The Constitution is not a rough draft that we change every week. The Constitution has been a wonderful document that has held this great republic together for over 200 years. Now every time we look, we have got another amendment like this one coming at it, saying, on my goodness, the republic is only going to hold unless we can get this amendment through.

I do not think we should do this, but I certainly hope we vote against the rule. It is certainly contrary to everything we have been told this year would happen. It certainly is not open.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

I would just congratulate the gentlewoman from Colorado for being consistent, as I believe we have been. She said at the Committee on Rules meeting that the Constitution is not a rough draft. Indeed, it is not. We all agree.

It is for that reason we do not have an open rule. Never do we practice constitutional amendments under open rules. I think if you go back and look at the times, the 40 years when your party was in the majority and you were leading from that side, the treatment was the same.

What we promised and what I think we are being consistent about, in the spirit of all that goes into the Contract With America, is open debate and fair rules to give the ideas a chance to be deliberately discussed on the floor.

I think that opportunity is present.

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

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

Mrs. SCHROEDER. But what we understood was you were being very critical of the fact and said that these things should come up under open rules. And we had an announcement on the floor on March 9, that there would be an open rule or at least some of the 30 amendments would be considered or some of the Democratic amendments would be considered.

I mean, I find it very interesting that you say this is a revolution. We cannot tolerate the Democratic leadership anymore. And then whenever we start to say, now, wait a minute, what have you done here? You say, Well, the Democrats did it.

That is why I started out by saying this looks like business as usual. We thought there was going to be a chance here to openly debate this issue, which I think is very important.

□ 1545

Mr. GOSS. Reclaiming my time, Mr. Speaker, I am sure the gentlewoman does not mean to imply that business as usual under the Democrats was an inhospitable thing. Surely that was not the case.

Mrs. SCHROEDER. Mr. Speaker, if the gentleman will continue to yield, I would not imply that, but that was the gentleman's implication and the Speaker's implication when they took over. I just think it is interesting that just a few weeks in power, and the gentlemen's party finds out the Democrats were not so off base after all.

Mr. GOSS. Reclaiming my time, and thanking the gentlewoman for her part in this colloquy, I still believe we all agree that is not appropriate to have an open rule on a constitutional amendment, which this is proposing to be.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Tennessee [Mr. HILLEARY], who has crafted what I think is one of the most worthy of the substitutes for consideration. I am sure it will be much discussed and get much interest during the debate.

Mr. HILLEARY. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I want to take this opportunity to thank the gentleman for bringing this issue to a vote. I adamantly support the rule which will allow the House for the first time to vote on term limits in a recorded vote, what we promised in the Contract With America, and we are delivering on it.

This is a fair rule which will give all Members the chance to demonstrate to their constituents that they either support or oppose term limits. This rule will, in my opinion, flush out the pretenders for the election cycle in 1996.

In addition, under this rule Members will have the opportunity to vote on my amendment, which is the only one that clearly protects the term limit laws enacted in 22 States in this country. Thousands of dedicated individuals gathered signatures on petitions in parking lots all across the country. Twenty-five million people have cast ballots in favor of imposing term limits on Members of Congress from their States.

My amendment is the only one which will clearly protect the hard work and wishes of these people. I thank the leadership for making this amendment in order, and urge all of my colleagues to support this very fair rule, but no matter which version emerges from the Queen of the Hill procedure, I urge all my colleagues to vote for term limits on final passage. The people want it. The time has come. Please vote for term limits, no matter which version emerges.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. DEAL].

Mr. DEAL of Georgia. Mr. Speaker, I rise today in support of term limits, but I likewise rise in opposition to this rule. I would like to explain briefly why.

As we look at the term limits debate, Mr. Speaker, there are basically three issues that arise. Unfortunately, I do not believe that we have a clear shot at a vote on any version that separates the three issues.

The first issue is the number of years. Is it 6 years, is it 8 years, is it 12 years? We will have variations of the number of years to vote on.

The second issue is preemption: Do we intend by a Federal constitutional amendment to say to the States that they shall not or that they shall be allowed to fix lower limits by their State law? I, for one, believe that they should have that option.

The third issue is prior service, or retroactivity: Will terms that have previously been served prior to the ratification of a term limits amendment count, or will they not count?

Recognizing early in this session that there was no clear constitutional amendment that set those propositions forth, on January 27 of this year I, along with several of my Democratic and Republican colleagues, introduced a constitutional amendment which set a 12-year outer limit with specific language that said we did not preempt State statutes, that gave them right to set lower limits if they chose to do so, but that would not have retroactive effect.

Unfortunately, Mr. Speaker, the thing that comes closest to our proposition, which we did submit to the Committee on Rules and which was rejected, will be the Hilleary amendment. However, the Hilleary amendment will say 12 years outer limit, specific reference to the States to pass lower limits if they choose to do so, but will give prior service of those 22 States that have enacted State laws those retroactive effects, so by the time this constitutional amendment would be ratified under the Hilleary version, we very likely will have 225 Members of this House who will be operating under those statutes of the 22 States, and possibly somewhere in excess of 160 of them may already have their terms expired.

Mr. Speaker, I think we should have had a clear-cut shot at a proposition that would say 12 years outer limit, specifically, we do not preempt State statutes, and everybody stands on the same footing. If it is going to be retroactive, in my opinion, even though I am not one of those 22 States and it will not apply to me, I think it is not fair to our colleagues from those 22 States to say that ''Your time in service in office is the only one that will have effect.'' That to me is not putting us all on the same footing. For that reason, I will vote against the rule.

Mr. GOSS. Mr. Speaker, I am honored to yield 2 minutes to my colleague, the distinguished gentlewoman from Florida [Mrs. FOWLER], who I must point out has been the architect of one of the amendments that we are not going to specifically debate, but has been enfolded into some others. She has been very generous in that context, and not only that, she has been a real advocate of this issue for a long time. I congratulate her on that.

Mrs. FOWLER. Mr. Speaker, I rise in strong support of this rule.

As many of my colleagues know, I am the sponsor of the 8-year term-limits bill. In addition to my own State of Florida, Ohio, Missouri, and Massachusetts have all passed 8-year limits on their Members of Congress.

While this rule does not provide for a vote on my specific 8-year proposal, it does respect the rights of my State and the 21 other States with term-limits laws and that is why I support it.

All but one of the amendments made in order under this rule preserve States' abilities to pass 8-year limits. Phil Handy, chairman of the ''Eight Is Enough'' term-limits campaign in Florida, has endorsed this rule in a letter to the Speaker.

It is unfortunate that the media and term-limits opponents have focused on the differences between term-limits supporters over the numbers of 6, 8, or 12 years.

I hope that my support of this rule clarifies once and for all that the only difference that really exists is the one between those who support term limits and those who do not.

This rule will make sure that distinction is perfectly clear when we vote on final passage.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I am opposed to this rule, not necessarily because I think the rule is good or bad, but I just prefer not to have term limits on the floor at all. I oppose them, and therefore oppose the vehicle to bring them to the floor, and thus oppose this rule.

Mr. Speaker, I oppose term limits because I am against any abridgment of the right of voters to choose. Term limits limit the right of voters to choose. I am not so arrogant to think that I am better at this than James Madison, or the other Founders of the Constitution, who were very careful to protect the right of the citizens of the United States of America to select their representatives. That is a critical right in this representative form of Government. We should protect, not diminish it.

Term limits do not restrict the authority of the Federal Government. They do restrict the rights of the citizens. Term limits do not increase the power of the voter. They enhance the raw authority of lobbyists. They enhances the power of career congressional staff. They enhances the authority of bureaucrats. If we want ever stronger executive branch Government and ever more powerful Presidents, this enhances the Presidency at the expense of the people's House.

This pedestrian effort to change the wisdom that the Founders of this country put into the basic document of this land is wrong. However, there is one good thing about having this bill on the floor. The American people are going to learn something about hypocrisy. Yes, they are going to learn something about hypocrisy.

Any Member of this House who wants to vote for limiting themselves to six terms or 12 years may do so and if they vote for it and they have served here more than 12 years, 12 years or more, they should quit. Otherwise, the American people might claim some hypocrisy among those Members of the House.

We will also have an opportunity to limit the terms to three, no more than 6 years. Those Members who vote for it, whether it passes or it does not, should quit at the end of their third term. To do less might be seen by the American people as hypocrisy, and I, for one, would agree with them. I think we are about to separate the hypocrites from the others.

Mr. GOSS. Mr. Speaker, it gives me pleasure to yield 2 minutes to the distinguished gentlewoman from Utah [Mrs. WALDHOLTZ], an extremely important Member who holds down the end of the dais of the Committee on Rules.

Mrs. WALDHOLTZ. Mr. Speaker, as a member of the Rules Committee I am proud to stand in support of this rule. For the first time ever, Congress will finally vote on a constitutional amendment limiting the number of terms an elected Representative can serve.

The American people have become increasingly disillusioned with their elected officials, and with good cause. Despite the fact that 8 out of 10 Americans support term limits, for years the Democrat-controlled Congress ignored the will of the people and arrogantly 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, they were assured that not only would Congress debate the issue, we would bring it to a vote within the first 100 days. Today we are here to fulfill that promise.

As the term limit debate has developed this year, I have been struck that those most vigorously supporting retroactive term limits are the very same Members who worked to block consideration of term limits in the past. Out of the 22 State-passed term limits, not one has been made retroactive. In fact, only one State has put a retroactive term limit on the ballot, Washington State, and that initiative was defeated.

Since I was curious to know what these colleagues had previously said about making term limits retroactive, I obtained a copy of the transcript from hearings held on November 18, 1993, and June 29, 1994, by the Subcommittee on Civil and constitutional Rights of the Committee on the Judiciary the only hearings on this issue prior to the 104th Congress. I went through the transcript page by page and I need to point out that I could not find a single reference or discussion on making term limits retroactive.

Three years ago my State of Utah passed a 12-year congressional term limit. In fact, we are the only State in which the legislature acted to pass term limits. The Founding Fathers never intended for congressional service to be a lifetime job. They correctly envisioned a citizen legislature that would pass laws and then return to the private sector to live under those laws. Instead, we ended up with a Congress that had a 90 percent re-election rate for the last 10 years—the same period during which our national debt skyrocketed—and an average tenure of 27 years for the previous House leadership.

The strength of the grass-roots term limits movement expresses the American people's frustration with the status quo. They are fed up with Congress' free-wheeling spending habits. They want us to bring the deficit and the Federal debt under control. A constitutional amendment imposing congressional term limits will take us a step in the right direction and break down the elite power structure that too many in Congress have enjoyed for too long.

I urge my colleagues to support the rule and support final passage.

Mr. BEILENSON. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Speaker, I am a supporter of term limits.

Mr. Speaker, I rise today in opposition to the rule. This rule proves to me that the Republican leadership has no intention of passing term limits this week.

You see, the Republicans promised the American people a vote on term limits in the Contract With America. But ever since the elections, they have approached the pending term limits vote just like Goldilocks tested her porridge in the bears' cabin.

Some of them do not like 6 year limits—this porridge is too hot.

Some of them do not like 12 year limits—this porridge is too cold.

Well guess what, Republicans, it will not take the American people very long to figure out that you did not try very hard to find an option that was just right for everyone. Instead, you crafted a confusing, repetitive rule, that would divide the votes enough to sabotage final passage.

You might as well stop the debate now. Because term limits cannot pass under this rule, so why bother with the charade?

□ 1600

Get with it. There are Members of the Republican Party who do not want term limits. It is all a big joke to pass the Contract With America.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York [Mr. SOLOMON], chairman of the Committee on Rules.

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

Mr. SOLOMON. Mr. Speaker, I rise in the strongest possible support of this rule where Members can now put their mouth where their vote is and vote for term limits. It is badly needed.

Mr. Speaker, this is a historic occasion. Today, we begin debate on a term-limits constitutional amendment. The House has never before voted on term-limit legislation, let alone a term-limits constitutional amendment. In fact, the House has never even had the chance to debate term limits before. I am very excited that we in Congress will finally get a chance to debate and vote on term-limit legislation and make this Congress more responsive, and, more importantly, more responsible to the American people.

In recent years, term-limit proposals have become increasingly popular among the American people, having overwhelming support—especially with people frustrated with Government gridlock at the Federal level.

Since 1990, 21 of 24 States that have the initiative process have passed ballot measures limiting congressional terms. And these initiatives have passed with 60 to 70 percent of the vote. There are now 22 States with congressional term limits. In fact, I have introduced term-limit legislation for the last 8 years here in Congress.

Opponents of term limits will point to the 1994 elections as a reason against any term-limit legislation. But I would point to the last 10, 15, and 20 years where the reelection rate of Members of Congress was well over 90 percent. Incumbency provides an artificial advantage to Members; an advantage the Framers of our Constitution never intended.

But I think the most compelling reason for term limits is the almost $5 trillion debt that this entrenched Congress has accumulated. This debt was accumulated because Congress could not prioritize its spending and could not say no to some of the unnecessary spending programs we have here.

Congress has not been able to balance its budget since 1969. If fact, this year's budget deficit is growing over $500 million a day. This kind of irresponsible governing is robbing our children and grandchildren of their future. Yet Congress was not able to pass a balanced budget amendment this year. For that reason alone, I think we should pass term limits.

It is my hope that term limits will go a long way toward bringing back the citizen-statesman: Someone who came to Congress, not to get reelected, but to govern. Someone able to get the Federal Government's fiscal house in order.

This is why I believe term limits are necessary and I urge strong support of the rule and the term-limits constitutional amendment.

Mr. GOSS. Mr. Speaker, again I want to reiterate what the gentlewoman from Utah [Mrs. WALDHOLTZ] said. It is curious that the minority, that used to be the majority, when they were majority and they were talking about term limits, retroactivity never showed up, so we are a little astonished that that seems to be the main menu today.

But in any event, I yield 1 minute to my colleague, the distinguished gentleman from Florida [Mr. CANADY] chairman of the subcommittee, who has done yeoman's work.

Mr. CANADY of Florida. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of the rule for consideration of a constitutional amendment to limit the terms of Members of the U.S. Senate and House of Representatives.

In keeping with the Republican Contract With America this rule provides for votes on proposed constitutional amendments to limit the terms of Members. This is the first time in the history of this Nation that the U.S. House of Representatives will vote on the issue of limiting the terms of Members of the House and Senate. Specifically, the contract promises, and this rule provides for, votes on a constitutional amendment to limit Senators and House Members to 12 years of service in each body, the McCollum amendment, and an amendment to limit Senators to 12 years and House Members to 6 years of service, the Inglis amendment. In addition, the rule provides for consideration of two additional amendments which will allow the Members to fully debate issues of concern, including application of the limits to sitting Members of Congress prior to ratification, the so-called retroactivity issue, and the effect of the proposals on State-enacted term limits.

Mr. Speaker, 22 states have adopted term limits for their Members of Congress. The American people have grown tired of entrenched incumbents controlling their lives from Washington. Term limits are in keeping with this Nation's tradition of democracy and freedom. Term limits will give power back to the States and to the people to run their own lives and make their own decisions. This Congress must listen to the people of this Nation and take action now on this critical issue. I urge an ''aye'' vote on the rule.

Mr. BEILENSON. Mr. Speaker, at the moment we do not have any other speakers, and I reserve the balance of my time.

(Mr. BEILENSON asked and was given permission to include extraneous material.)

Mr. GOSS. Mr. Speaker, it gives me great pleasure to yield 3 minutes to the distinguished gentleman from Florida [Mr. MCCOLLUM], another colleague of mine. He is known as the engineer of the term limits momentum, a man who deserves to be heard on this subject.

Mr. MCCOLLUM. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, this is indeed a historic occasion. We are about to vote on a rule to bring before this Congress for the first time in history, as my colleague from Florida, Mr. CANADY, just said, a vote on the floor of the House of Representatives on the question of limiting the terms of Members of the U.S. House and Senate. This is historic in many ways.

The Founding Fathers could never have envisioned a Congress today that is a full-time, career-oriented Congress. If we are going to control this career orientation, if we are going to put some restraints on the desire of Members of this body by the natural propensities that people have to want to be reelected and to try to please every interest group that is out there in decisions like on the budgets, we simply must have term limits, we must limit the lengths of time somebody can serve in the House and Senate.

If we are going to put a permanent rule in place, not just a rule passed by the Republicans as we did this year when we got in power, but put it in permanently to limit the amount of time somebody can serve as chairman of a full committee or serve in the leadership in key positions to something responsible like 6 years, then we have to have term limits, something that is in the Constitution of the United States. There are going to be a number of options as to what they are, but the bottom line is whatever that is the American people, more than 70 percent, often as high at 80 percent who support term limits should hold every one of us accountable at the polling place next year to vote for the final passage of this particular proposal, whatever the term limit is. I happen to favor 12 and 12, 12 for the House and 12 in the Senate and that it be permanent. That is my proposal. It is not retroactive and it will protect the States, I believe, under a decision that is going to be rendered by the U.S. Supreme Court shortly.

In my judgment it would be a very bad deal if there were a lesser number of years for House Members, as some propose, because it would make the House a weaker body vis-a-vis the Senate.

I also think the idea of granting permanently in the Constitution the right to States to decide what the term limits might be under a 12-year cap might be wrong. You would always end up with some States having 6 or 8 or some other number of years and that would be bad public policy.

My judgment also is with 22 States having passed term limits without retroactivity, and the one having come up in Washington and having voted it down, retroactivity would be a bad idea.

I think we need to have a simple, straightforward 12 for the House and Senate, uniformity as much as possible in the Nation and hopefully when the Supreme Court is done that will be the result.

Most important we need term limits, we need to limit the time people can serve. We need to restore to this body the checks and balances the Founding Fathers envisioned who never could have seen instead of serving 2 at most, we are now serving year round and instead of having citizen legislators who conduct their own businesses, we actually have rules that prohibit us from earning money out in professions like law and accounting and so forth.

I urge my colleagues in the strongest of terms to vote the rule out that gives us that opportunity. The Democrats did not let us have a vote in 40 years. Now we are going to have a chance to have one. I urge my colleagues to vote yes on final passage.

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

Mr. MCCOLLUM. If I have any time remaining, I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. I thank the gentleman for yielding. The gentleman says when people go to the polls they ought to vote based on whether or not their Member voted for term limits. Should they also vote whether the Member has been in longer than they voted?

Mr. MCCOLLUM. Eighty percent of the American public favor term limits. They will have that choice.

Mr. GOSS. Mr. Speaker, I am happy to yield 1 minute to the distinguished gentleman from New York [Mr. BOEHLERT].

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

Mr. BOEHLERT. Mr. Speaker, I have no particular problem with the rule. It is the subject of the rule to which I object: term limits. I know all the standard arguments that if we have term limits the unelected bureaucracy, the career staff that are here year after year, will run the institution and not the people's chosen representatives, and that the professional lobbyists will become even more important because they will be here year after year and not the people's chosen representative who will be in the revolving door. But I will tell you this. The most compelling argument against term limits is

this: The compelling mission of Government is to expand our options and choices, not limit them.

I have not had the advantage of conversations with our Founding Fathers, so I cannot tell my colleagues what they would say. But I know what they said, and they said we should not have term limits.

The arrogance of Washington, the people in the shadows of the Capitol, telling those people out in the real world that we are now going to impose new conditions on them to choose whomever they wish to entrust with their representational responsibilities.

I oppose term limits. I urge my colleagues to do likewise.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to the rule.

Mr. Speaker, if there is anything that the American people want more than productive change, it is an end to hypocrisy and gamesmanship when it comes to Government reform.

And that is what this rule is about. It is the ultimate game of hide and seek. It offers phony term limits proposals that Members can hide behind. It's so gamed to lose that by design voters will not be able to seek the truth after the debate. It's the big duck.

The American people should not be mistaken. Term limits will not prevail because Republicans have so gamed this process that it never really had a chance. Let me explain.

First off, the Republican rules committee has prevented all perfecting amendments. That is a travesty for Members who want to make honest any of the four alternatives that we will be voting on.

Some Members like myself for instance, who believe that term limits will create a rise in amateurism in the institution, believe that if we are going to have term limits let's make them effective immediately, and not exempt current Members.

That is right. Other than the Democratic substitute, none of the Republican alternatives apply to terms currently served by incumbents. The most restrictive one—the Inglis substitute—would allow me to serve 43 years in the House—43 years. The McCollum and Hilleary substitutes would allow me to serve 49 years in the House.

Speaker GINGRICH would be allowed to serve 37 years under Inglis. Under McCollum and Hilleary he would be allowed 31 years.

And of all the Republican substitutes, only one—Hilleary—would preserve the States rights to do what they deem most appropriate when it comes to term limits.

Finally, this rule totally denigrates the Judiciary Committee. The committee reported bill is not even made in order. The entire purpose of committees is to refine issues in a manner proper for floor consideration. This makes a mockery of that.

Mr. Speaker, this rule is a fraud and a game on the American people. Let us defeat it and get on with an honest debate, not a game of hide and seek.

Mr. GOSS. Mr. Speaker, I am privileged to yield 2 minutes to the distinguished gentleman from Kansas [Mr. ROBERTS], chairman of the always powerful Committee on Agriculture.

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

Mr. ROBERTS. Mr. Speaker, I thank the gentleman for yielding time.

Mr. Speaker, I rise in opposition to this rule, and I want to make it clear from the outset I am for the term limit that was placed or that was put in place by our Founding Fathers, that is a 2-year term limit. It is called an election.

It seems to me that utilizing their constitutional voting rights, the voters can have and will continue to achieve Thomas Jefferson democracy by throwing the rascals out if they so choose.

What the term limit says basically is the voters, because of many reasons, are not up to this job and should be denied the right to send somebody back.

But the basic point I think is this: If in fact this House of Representatives is in such a crisis to the extent that we must deny the voters the right to reelect their representatives, if in fact the institution is in such a chaotic state that we must arbitrarily take away the right of voters after 6 or 12 years, then surely the people responsible, the guilty parties, are those who are the career politicians who have been here over 12 years and none of the proposed versions really include the retroactive version of term limits with sound policy. It is sort of like there is a terminal illness that abounds in this House but we are going to wait 12 years before we take the medicine.

Why? Well, the why is simple; not many term limiters find it a pleasant task telling experienced Members they are part of the problem and it is time to say adios.

So to me, wrapping yourself in the banner of a counterproductive reform is bad enough but exempting ourselves from these reforms does not represent truth in term limits.

The SPEAKER. The Chair would inform the gentleman from Florida [Mr. GOSS] that he has 4 minutes remaining, and the gentleman from California [Mr. BEILENSON] has 4½ minutes remaining.

Mr. BEILENSON. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Speaker, in listening to the debate and hearing some of my colleagues from the other side of the aisle criticize Democrats because of their retroactive proposal, let us make it very, very clear.

My Democratic colleagues are not the ones who ran for Congress on the Contract With America all around the country talking about the need to bring in term limits. My Democratic colleagues were honest about it; they did not run on term limits. They have a proposal to put forward and if the Republicans are serious about term limits, we could pass a retroactive term limits bill.

It is also amusing to see the Republican leadership who worked so hard on party loyalty and so many other issues in the first so-called 100 days of this contract, to see where are they now in terms of demanding that party loyalty when it comes to determining which proposal to vote for. If some of the Republican leadership had the same interest, the same zeal, the same compassion to get at nutrition programs, for example, to get at some of the other Head Start programs, if they felt just as strongly about term limits as they have in some of these other devastating cuts, we would have term limits here this week.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from South Carolina [Mr. INGLIS], who has also been one of the main architects of the term limits movement and has an amendment that states this debate.

Mr. INGLIS of South Carolina. Mr. Speaker, I thank the gentleman for yielding the time, and I rise in strong support of this rule and to point out a couple of things. One, what a difference an election makes. Last time in this Congress, the last Congress, the 103d Congress, we begged and we pleaded and we scrapped and we got a hearing in a subcommittee of the Committee on the Judiciary.

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And then we begged and we pleaded and we scraped some more, and we got a second little hearing. The chairman of that subcommittee was adamantly opposed to term limits. The chairman of our new subcommittee is very much for term limits. He was just here, the gentleman from Florida [Mr. CANADY], on the floor, speaking in favor of this rule.

Last time, last Congress, the Speaker of this House of Representatives sued the people of the State of Washington saying that what they had done was unconstitutional in limiting his term in office. Now, we have a Speaker who is forthrightly for term limits and has brought this rule and this matter to the floor.

What a difference an election makes in the history of a nation.

And now we have got an opportunity. What a great rule. I am concerned to hear my friend, the gentleman from Massachusetts, not speak in favor of the rule. I think actually this is a tremendously successful crafting of this issue. The question is, of course, there are two arguments against it. One is it is restrictive, we did not make enough

options in order; and then the other attack is, well, it has got too many options in it, and the result is we will have confusion.

I cannot imagine a more accountable vote on this matter than the way it is structured this way. Members are going to have to vote up or down on a 6-year bill. That happens to be my bill. Then they are going to have to vote up or down on a 12-year bill that allows State flexibility. They are going to have to vote up or down on a 12-year bill that is silent on preemption, and they are going to have to vote up or down on a 12-year bill that calls for retroactivity designed, by admission of its proponents, to be a poison pill designed to kill term limits.

But in any event, we are going to have accountability in this Congress, and what a difference the American people are seeing. It truly is an exciting day in the history of this Congress.

Mr. BEILENSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Speaker, not to worry, those people that follow this great Chamber electronically with these new overhead shots and side-angle shots, make sure my coat is OK in the back here, everybody is watching, and in their offices.

The House floor looks deserted, but it is not. This is a hot issue.

Now, about four speakers ago one of my colleagues said we unfortunately do not get to talk to the Founders, but that he was going to speak for them and say that the Founders were against term limits. Not my reading of what our Founders wrote.

One of the great Founders, the oldest man in the Continental Congress, the great Dr. Benjamin Franklin, said it would be healthy to rotate citizens in and out of this Chamber on a regular basis. That is a simple word, ''rotation''; we use it all the time in modern America, and he said it would be healthy to return to the employer class, that is, the taxpayers that sometimes sit in our gallery, the 1.3 million that are watching us on C–SPAN. They are the employers, and we are the public servants.

But here is something any Member can do walking through the Rotunda. What I will put in the RECORD at this point are the words of George Washington, right under his portrait, resigning his commission, about the theater of action, and his virtues and term limits, the father of term limits, George Washington.

Having now finished the work assigned me, I retire from the great theatre of action; and bidding an affectionate farewell to this august body, under whose orders I have so long acted, I here offer my commission and take my leave of all the employments of public life.

Thos. Mifflin, pres. Continental Congress (answered with reverence.) Having defended the standard of liberty in the new world; having taught a lesson to those who inflict (oppression), and to those who feel oppression, you retire from the great theater of action with the blessings of your fellow-citizens; but the glory of your virtues will not terminate with your military command, it will continue to animate remotest ages.

Mr. GOSS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I think it is very clear this is going to be an interesting debate. This is not something of the passion of the moment, though.

We are talking about a constitutional amendment, two-thirds of the House, two-thirds of the Senate, three-quarters of the States and several years involved probably in the process.

We are also talking about a phenomenon of tenure of more than 12 years here. That is the standard in this that we are putting out.

It took more than the first 100 years of the existence of Congress before the average tenure of any Member of the Members was 12 years. My distinguished friend from California mentioned that maybe we will not have an institutional memory; maybe staff will take over. Well, maybe staff has already taken over in some places, and maybe the institutional memory is not very good. But maybe most Americans think we have got enough Congress. Maybe a little less Congress would be better for America.

That is something they seem to be saying.

My friend from New York, the gentleman from New York [Mr. BOEHLERT] said, ''It would be arrogant of D.C. to tell people how long they can vote for somebody.'' Would it be arrogant to ignore what 80 percent of the people of our country are asking us to bring up in debate? I think it would be.

So we are going to have this debate. I agree, this is a particularly bony crow which may cause some choking come November. I still believe it is an honorable effort at debate.

I urge approval of the rule.

Ms. PRYCE. Mr. Speaker, what a difference an election makes. After years of hearing our colleagues on the other side of the aisle talk about real reform, the 104th Congress, under new leadership, is ready to break the partisan gridlock which has kept term limits off the floor of this House for too long. As part of our ongoing commitment to fulfilling the Contract With America, we bring to the floor today a constitutional amendment to limit the terms of House and Senate Members.

And we do so under a fair and balanced rule which recognizes the seriousness of writing term limits into our Constitution. On March 15, the Committee on Rules granted a rule that provides for 3 hours of general debate. Following general debate, four amendments in the nature of a substitute will be considered for 1 hour each under a true ''king-of-the-hill'' process—which means that the amendment receiving the most affirmative votes is considered as adopted and reported back to the House. This is a responsible rule, Mr. Speaker. Debate on the four substitutes, and the customary motion to recommit afforded to the minority, will allow the House to address the major issues associated with term limits, issues such as how many terms are appropriate, should States be permitted to set lower limits, and when should the term limitation take effect.

Republicans have not backed away from our promise to the American people to bring the issue of term limits to the floor of the House. The term limits movement is clearly sweeping across the States, winning by impressive margins whenever and wherever it is on the ballot. Today, 22 States have placed term limits on their Federal representatives, including my own home State of Ohio. By adopting this rule, the House will finally have the opportunity to debate an issue which is already the law of the land in almost half of the 50 States.

It is my understanding that from 1789 to 1993, 177 proposals were introduced to limit congressional service. Not surprisingly, virtually all of these proposals died in committee. It was not until November 1993, during the historic 103d Congress, that the House held its first hearing ever on the term limits issue. Today, when we pass this rule and begin debate, new history will be made. We are keeping our promise to have the first vote ever on the House floor on this important issue.

While some of my closest colleagues in this body have made very articulate arguments against term limits, I remain absolutely convinced that term limits are not just necessary, but essential to making this institution more effective, more productive, and more representative of the American people. Just think of the many positive benefits which would result from term limits: an influx of fresh ideas and motivated people, a Congress closer to the citizens whom we are elected to serve, a greater emphasis on merit rather than seniority, and a better chance to guard against legislative gridlock. Mr. Speaker, limiting congressional terms is the key to genuine congressional reform.

But despite the progress we have made on this issue, one of the leading advocates of term limits, the group U.S. Term Limits, has actively criticized many Members of the House for supposedly trying to water-down our contract's commitment to term limits. Nothing could be further from the truth. While each of us may prefer a certain version of term limits, or see one plan as being more practical than the other, we have consistently supported term limits.

Mr. Speaker, we have had a very productive 84 days so far in the 104th Congress. The majority has kept its promise to bring the provisions of the contract to a vote on the House floor. And we have made meaningful congressional reform a top legislative priority. I urge my colleagues to adopt this balanced, responsible rule so that we can have fair debate on the revolutionary idea of term limits. Passage of this rule will be an important step toward responding to the voters' call for real change and putting an end to the reign of career politicians.

Mr. GOSS. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.