

the tax laws in any way and would have applied even to raising tariffs on foreign products—that the amendment's sponsors decided it had to be reworked.

So on March 29, the day before the Easter recess, the House Rules Committee cobbled together and approved a totally new amendment more opaque in meaning than the original.

No one expects a serious constitutional debate next Monday. But rest assured, there will be plenty of on-camera time for congressman with sagging poll numbers.

Well before Republican leaders had the amendment language in hand, they had decided that April 15 was the perfect time to call a pep rally. How better to resuscitate the Contract with America than with a floor show featuring a spanking new constitutional amendment as prop?

As part of the coordinated media blitz, the Gingrichities were told to hold anti-tax town meetings in their home districts. The campaign is as contrived as a Burger King-Pocahontas promo. Rep. Randy Tate of the 9th District, for example, dutifully held two town hall meetings this week with special guest star Grover Norquist, president of Americans for Tax Reform, an anti-tax group that has made the constitutional amendment its top priority.

There's no way to separate the fakery from the legislation. But who nowadays seriously expects Congress to place deliberation above crass symbolism?

The tax amendment would even obstruct the tax reforms that Republicans have embraced. The GOP leaders apparently are so cynical—about both the fate of the amendment (the Senate is expected to put on the brakes should the House approve the thing) and meaningful tax reform—that they have no trouble promoting two ideas that are pretty much mutually exclusive.

The amendment language requires a two-thirds vote of Congress on tax measures unless the act does not "increase the internal revenue by more than a de minimus amount." The hurdle would make routine tax legislation nearly impossible.

There is no definition given of "internal revenue." Arguably, the only things not covered by the term are foreign tariffs, all other taxes being internally generated. So increasing user fees based on sound freemarket principles—such as national park entrance fees or grazing fees—would be subject to the limitation, as would closing loopholes and shutting down tax shelters.

But these are minor objections compared to the conundrum that ought to stop supplysiders cold. The amendment would apply to any legislation that increases revenue to the federal government; it does not deal with increases in tax rates per se.

Yet, the first principle of Reaganomics (and the rationale at the core of flat-tax schemes) is that cutting taxes—be it capital-gains taxes or income taxes—unleashes entrepreneurial energies that increase economic growth and therefore increase government's total tax receipts.

One argument to cut capital-gains tax rates is precisely that a cut would increase revenues in the short run as investors rush to liquidate assets to capture their capital gains. In a perverse twist, such a tax cut would be subject to two-thirds approval of Congress also.

The House leadership is well aware that enforcing any supermajority requirement on tax matters is unworkable. On the first day of Congress last year, the House, in a fit of revolutionary fervor, adopted a rule requiring a three-fifth majority on any bill raising federal income-tax rates. The rule has turned out to be only a gimmick.

The Republicans publicly touted their anti-tax scheme as a promise kept—and then

silently waived the rule whenever it proved inconvenient.

The House's Contract with America Tax Act inadvertently raised some tax rates while cutting others, and so needed a waiver. The budget reconciliation bill to cut the deficit raised a few rates, thus requiring another waiver.

The House's Medicare bill, by raising premiums on wealthy seniors, needed and got a waiver, as did the new health insurance reform act, which would impose a tax on some withdrawals from medical savings accounts.

The income-tax rule has nothing to do with governing, and everything to do with sloganeering. The proposed constitutional amendment is more of the same.

When the Republicans were the minority, reducing policy debates to bumper stickers came easily. They've yet to switch out of that mode. If they, as the party in power, don't care about the substance of legislation, who will? Somebody tell these people they're being paid to do more than pose for campaign spots and C-SPAN.

I say reading it when I got to my office today and thought somebody has got to talk about this issue.

Some weeks ago my son called me. He is in business school in California and asked me about something that was happening here in Washington, DC, and I proceeded to explain to him what I thought would happen. And he said, after I had finished, "Well, now I know what the cynics think."

□ 1315

Mr. Speaker, I objected to that. I said, "No, I am giving you a realistic view of what is going to happen here in the Congress," and he said, "Dad, don't get excited. There were the idealists in Greece who wanted things a certain way, and then there were the cynics who actually looked at things as they really were and dealt with them." He said, "Cynicism has gotten a bad name because it has come to mean that we do one thing and try and create the impression that something is happening when, in fact, something else is happening, and the people then get cynical about what's happened."

What is going to happen today is the height of political cynicism because of what will be created. In fact, they choose the exact time they are going to start to debate, when folks in California are able to get to their TV's. They are not going to do it here at this time of day when people are at work in California. They are going to wait until later in the day. The vote will be taken at 9 o'clock tonight, 6 o'clock, when everybody is sitting down and eating, in California. This is a timed debate put on simply to make the American people think that we are going to control taxes.

Mr. Speaker, nothing could be further from the truth. As my colleague, the gentleman from Virginia, [Mr. MORAN], simply pointed out, I am a member of the Committee on Ways and Means. When this House came into session under this leadership, they said we are going to put in a rule that requires a 60-percent vote every time we raise taxes. So, through our Committee on Ways and Means things would come,

and we would raise our head and say, "Hey, how are you going to get the two-thirds vote for this out on the floor?"

And they said, "Well, we're going to waive the rule."

Three times, perhaps four times, I am not absolutely sure, they have waived that rule when they have brought things out here on the floor.

Now today they are going to come out and say we are going to pass a constitutional amendment that will prevent us from doing exactly what we have done in the last year and 3 months that the Republicans have controlled this House. They have no will to do what they believe. They simply want the people to cynically believe that they want that to happen. But they are never going to do it.

Now, cynicism is destructive in this society for one reason. People watching this debate are going to say to themselves why should I go and vote for that bunch of yahoos, whoever he is. I saw a bumper strip coming in from the airport last night that said, "Reelect nobody." Reelect nobody? Consider what that means. That means everybody on the floor of the House is going to be subject to people walking around thinking, well, if they were there under that kind of cynical baloney, I do not want them, and my view is that the American people are made cynical by this kind of behavior. There are some absolute realities that must be faced in this country if we are going to be serious.

Now, the first thing that this amendment, if it were to go into place, would say, is that all the cuts, anything that is going to happen in this country, is going to mean we have to reduce spending. We can never raise revenue, we cannot because two-thirds—we did not even get two-thirds on this floor when we were saving Social Security. Two-thirds of the Members did not vote to support Social Security. So all the old people who might be thinking about this, just remember, Mr. Speaker, they got to understand that we could not have saved Social Security on the floor of the House of Representatives in 1983 because there were not two-thirds of the Members who would vote for it.

So what we are saying here today is that we are going to cut things, and all the programs that people are now resting on, Social Security, Medicare, Medicaid, aid for student loans, all those things will be subject to a two-thirds vote. No matter what is going on in the world, no matter what the circumstances of our economy, no matter what happens, it will take two-thirds.

Now, as you heard the gentleman from Virginia [Mr. MORAN] say, that means the Senators from 17 States can block whatever is going on and the majority will no longer rule.

RECESS

The SPEAKER pro tempore (Mr. HOBSON). Pursuant to clause 12 of rule

I, the House stands in recess until 2 p.m.

Accordingly (at 1 o'clock and 20 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. EWING] at 2 p.m.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Open our ears, O God, to hear the majesty of Your whole creation, a creation of words and music and nature. May not the rush of each day and the multitude of voices that beckon us from one task to another, keep us from hearing Your message of beauty, of renewal, of hope, of healing, and of peace. Free us, O gracious God, from any isolation that keeps our hearts and minds apart from Your grace so we miss the words and sounds that resonate with our humanity and encourage us to be people You would have us be. Bless us this day and every day, we pray. Amen.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio [Mr. TRAFICANT] come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. SKAGGS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

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

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, further proceedings on this matter will be postponed until later today.

The point of no quorum is considered withdrawn.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker pro tempore signed the following enrolled bills on Tuesday April 2, 1996: H.R. 956, to establish legal standards and procedures for product liability litigation, and for other purposes; H.R. 1561, to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes; H.R. 1833, to amend title 18, United States Code, to ban partial-birth abortions; and H.R. 2854, to modify the operation of certain agricultural programs.

APPOINTMENT AS MEMBER OF ADVISORY COMMISSION ON INTER-GOVERNMENTAL RELATIONS

The SPEAKER pro tempore. Pursuant to the provisions of section 3(a) of Public Law 86-380, and the order of the House of Friday, March 29, 1996, authorizing the Speaker and the minority leader to appoint commissions, boards, and committees authorized by law or by the House, the Speaker on April 2, 1996, did appoint the following Member of the House to the Advisory Commission on Intergovernmental Relations: Mr. PAYNE of New Jersey.

IT IS TIME TO GIVE WORKING AMERICAN FAMILIES A BREAK

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

Mr. CHABOT. Mr. Speaker, it is April 15, tax day. Today is the day that millions of Americans, as they struggle to file their tax forms all across this country on time, are reminded just how much they are being fleeced by the Federal Government. Every time taxes go up, the working people of this Nation get hurt.

But we will have an opportunity later this evening to help taxpayers, to put the brakes on the never-ending cycle of taxing and spending by voting for a constitutional amendment to prevent any Federal tax increase that does not have at least two-thirds of Congress supporting it.

Those of us who have cosponsored this amendment have a very simple objective: We want to make it harder for the Federal Government to take hard-earned dollars out of the pockets of working American families. For every 8 hours an American works, more than 3 hours go to pay taxes. If you work 5 days, Monday and Tuesday go to the Government; only Wednesday, Thursday, and Friday go to support your family.

Well, enough is enough. This has to stop, Mr. Speaker. It is time to give the American taxpayers a break. Let us do it today.

HAPPY TAX DAY

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

Mr. TRAFICANT. Mr. Speaker, the Medicare trust fund had its first deficit in history, and the reason given was payroll taxes were less than expected.

Now, how could this be if there have been 8 million new jobs? Could it be that maybe these jobs are very suspect?

Check this out: Screw supervisor, nut former, ball sorter, needle straightener, bucket chucker, splitter, creaser, slaughter operator. Do not laugh. These are all jobs listed by the Department of Labor.

If that is not high-tech enough for you, how about sucker machine operator? How about carcass splitter. Just imagine, if we create more sucker machine operators and carcass splitters, we will balance the budget.

If anybody asks my opinion, I would have to say beam me up. I think these screw supervisors all work for the Internal Revenue Service. Happy Tax Day.

THE TAX LIMITATION AMENDMENT

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

Mr. BARTON of Texas. Mr. Speaker, later this evening we are going to have a historic vote, the first vote on a supermajority requirement to raise your taxes. The amend is to my left, and you will have an opportunity to read it.

When I was in the fourth grade at Travis Elementary in Bryan, TX, my fourth-grade teacher was Miss Andrews. That is where I learned fractions. I learned in the fall of 1960 that two-thirds is a higher fraction than one-half. If you can understand that concept, then you understand the tax limitation constitutional amendment.

Those of us that support it want to make it more difficult to raise your taxes. If you agree with that, then support the Congressmen who are going to vote for the Barton tax limitation amendment later on this evening on the floor.

SUPPORT THE D.C. ECONOMIC RECOVERY ACT

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous material.)

Ms. NORTON. Mr. Speaker, this is taxpayers day. I have introduced a bill