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House of Representatives

The House met at 10 a.m.

The prayer was offered by the guest chaplain, Rev. Richard Anderson, First Presbyterian Church, Aurora, IL:

Let us pray. O mighty God, the source of all goodness, please bless those who are in positions of power and authority in this country. Bless the President and his family, all members of his Cabinet and all legislators in Congress. Enrich them with Your grace and fill them with Your spirit, that they may be governed with wisdom and godliness by these Your servants.

And watch over those who help form public opinion, the press and the broadcasting services; that we may be enabled to exercise our rights as citizens in a manner which is responsible and in accordance with Your will.

As the Ruler of all nations, may we represent You well as Your instruments of peace and justice to the world.

In the words of Abraham Lincoln, ''In helping our neighbor to wholeness and freedom, we assure wholeness and freedom for ourselves. So shall we nobly save or meanly lose the last best hope of Earth.'' So help us God. Amen.

THE JOURNAL

The SPEAKER. 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.

PLEDGE OF ALLEGIANCE

The SPEAKER. 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.

WELCOMING REV. RICHARD ANDERSON

(Mr. HASTERT asked and was given permission to address the House for 1 minute.)

Mr. HASTERT. Mr. Speaker, I rise to welcome to this House and to introduce our guest chaplain for today, Pastor Dick Anderson of the First Presbyterian Church in Aurora, IL. He is a spiritual leader of one of the largest congregations in my 14th District of Illinois. I thank him for his message as we open this session.

First Presbyterian has taken an active role in the life of the community, and it is home for outreach ministries which include programs for at-risk teenagers and other young people.

It is also fitting that Pastor Anderson is here today on the 12th of February as we mark the birthday of one of our greatest Presidents, Abraham Lincoln. A noted student of Lincoln's speeches and writings, Pastor Anderson has masterfully portrayed our 16th President on literally hundreds of occasions throughout the State of Illinois and this Nation, including the reenactment last year of the great Lincoln-Douglas debates in Illinois.

As recently as yesterday he represented and portrayed Lincoln here in Washington, DC, on the celebration today of Lincoln's birthday.

Mr. Speaker, I would ask you and my colleagues to join me in welcoming my friend, Pastor Dick Anderson, to our House of Representatives.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair will entertain 10 one-minutes on each side.

MEXICAN REPAYMENT OF LOANS

(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, headlines said: Bailout a success, Mexico repays Uncle Sam.

Yellow brick road time. Do not bet your pesos on it. Reports now say that all of the money used to repay the loan was borrowed at interest rates so high they would make John Gotti blush.

Folks, I say there is a big con game going on here. Mexico is in a shambles, and what is worse, the cancer from Mexico is spreading to Uncle Sam. Eighty percent of all narcotics are now coming across the border, and there are two giant sucking sounds here, folks: No. 1, American jobs going to Mexico; and, No. 2, Mexican cocaine going up American noses.

Beam me up. If this is a success, then General Custer at Little Big Horn's victory must have been called a victory.

Let us stop the propaganda. Let us get a trade policy with Mexico. Because the truth is, it simply sucks.

TAX RELIEF

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

Mr. CHABOT. Mr. Speaker, it has become popular to say that there are no significant philosophical differences in this town anymore. I do not buy it. Take, for one small example, an exchange that took place here in Washington just yesterday. One of our distinguished colleagues, the gentleman from Arizona [Mr. HAYWORTH], asked President Clinton's Treasury Secretary a very good question yesterday: Why does the President propose to cut off the $500 per child tax credit for any parent whose child reaches the age of 13? Why is it somehow less expensive for a working mom to care for a 12-year-old than it is to care for a 13-year-old? Well, said the Treasury Secretary,

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the Government has to be careful how it, quote, spends its scarce resources.

Now, that is where I have a major difference with the administration. When a parent is able to keep some of the money that he or she works very hard to earn, that is not an example of the Government spending money. It is not our money, to begin with, here in Washington. It belongs to the people who earn it. We ought to cut taxes, and let us begin to do it now.

CREATION OF BIPARTISAN TASK FORCE TO REVIEW ETHICS PROCESS

(Mr. ARMEY asked and was given permission to address the House for 1 minute.)

Mr. ARMEY. Mr. Speaker, before I begin, I would like to thank my colleagues that are waiting for their 1-minutes for their willingness to let me intercede at this time. I appreciate their grace and patience.

Mr. Speaker, over the past few months the gentleman from Missouri [Mr. GEPHARDT], the minority leader, and I have been talking about the need for a comprehensive review of the ethics process. We have had several good discussions culminating in our joint appearance before the House today to announce the creation of a bipartisan task force to conduct a review of the ethics process and to report to the bipartisan leadership on how the process might be improved.

For this review to be successful, I think we need three key elements:

First, the process must be truly bipartisan. Like the Ethics Committee, it should be composed of an equal number of Republicans and Democrats. Furthermore, and as the majority leader you will not find me saying this too often, I think this task force should be cochaired by a Member from each side of the aisle.

Second, we must have dedicated Members who will do what is right for all Members and, more importantly, for the institution of the House of Representatives.

Third, after the past few tumultuous months, I think we must have a brief cooling-off period where Members can sit back and examine where the ethics process works, where it does not and how it might be improved, and in a climate temporarily free from potential ethics charges.

After a great deal of discussion, I am pleased to announce that the distinguished minority leader and I come to the floor today to announce the creation of a 12-member bipartisan task force cochaired by a Republican and a Democrat.

Ethical review of our peers, and the process by which we conduct that review, is a constitutional responsibility. It is an important job that few Members are excited about performing. I have given a great deal of thought to whom the Republican side of the aisle should ask to do this. I want Members who are well respected and who are committed to doing what is right and what is in the best interests of the institution.

While we have many Members who meet this criteria, I believe I have found six who will work well with Members, to be appointed by Mr. GEPHARDT.

Members are the gentleman from Louisiana [Mr. LIVINGSTON], who I have asked to be one of the cochairs, the gentleman from Florida [Mr. GOSS], the gentleman from Delaware [Mr. CASTLE], the gentleman from California [Mr. THOMAS], the gentleman from New York [Mr. SOLOMON] and the gentleman from Utah [Mr. HANSEN], who as chairman of the Ethics Committee will serve as an ex officio member of the task force.

Minority Leader GEPHARDT and I have also agreed on a moratorium on the filing of new ethics complaints until April 11. This 2-month cooling-off period will give the task force members an opportunity to meet, review and discuss how the ethics process can be improved and in a climate free from specific questions of ethical propriety.

The task force is free to look into any and all aspects of the ethics process. Some of the questions I think the task force will want to address include: Who can file a complaint and upon what basis of information, what should be the standards for initiating an investigation, what evidentiary standard should apply throughout the process, how has the bifurcation process worked, does it take too long to conduct a review, should non-House Members play a part in a reformed ethics process, should we enlarge the pool of Members who might participate in different phases of the process?

Mr. Speaker, I want to thank the gentleman from Missouri for working with me to create this important task force.

I yield to the gentleman from Missouri [Mr. GEPHARDT].

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

I would agree that we believe on the Democratic side, I think, with our friends on the Republican side that there needs to be a complete review of the ethics process with a view toward recommending changes to the whole body, that the body might considerate at some point in the future.

We also agree that there should be six Members, one ex officio and five other Members. In that connection, I today am appointing the gentleman from Maryland [Mr. CARDIN] to be our cochair, the gentleman from Texas [Mr. FROST], the gentleman from Massachusetts [Mr. MOAKLEY], the gentlewoman from California [Ms. PELOSI] and the gentleman from Ohio [Mr. STOKES] to be part of this bipartisan task force.

We are also asking the gentleman from California [Mr. BERMAN] to be ex-officio, as he will be our recommended ranking member on the permanent Ethics Committee.

So we will be joining with the majority leader in the unanimous consent request for their appointment and for the understanding that there will not be a filing of ethics complaints for this, I believe to be, 65-day period in which this group should be doing its work.

I thank the gentleman and Members on his side for working with us on this process. I think it is an important step forward in working together to improve the ethics process for the body. I look forward to receiving recommendations from this group.

Mr. ARMEY. Mr. Speaker, I thank the gentleman.

I should also advise Members of the body that, during this interim period, the regular work of the Ethics Committee under the leadership of the gentleman from Utah [Mr. HANSEN] and the gentleman from California [Mr. BERMAN] will continue to advise Members with respect to requests they might make about the appropriateness of courses of action they may take. That advisory function, I know, is being carried out well because I just got some advice back from the committee myself yesterday on a trip that I am looking at. So let me just say that I believe this accommodation enables every Member to feel they have a place to make their inquiries. They can get a quick, accurate, reliable response and at the same time this committee can work. Again, I want to thank the minority leader for his congenial efforts to work this out with me.

ESTABLISHING BIPARTISAN TASK FORCE ON REFORM OF ETHICS PROCESS

Mr. ARMEY. Mr. Speaker, in furtherance of this understanding concerning the establishment of a bipartisan task force on reform of the ethics process, I ask unanimous consent that during the period beginning immediately and ending on April 11, 1997:

First, the Committee on Standards of Official Conduct may not receive, renew, initiate or investigate a complaint against the official conduct of a Member, officer or employee of the House;

Second, the Committee on Standards of Official Conduct may issue advisory opinions and perform other noninvestigative functions; and

Third, a resolution addressing the official conduct of a Member, officer or employee of the House that is proposed to be offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House shall, once noticed pursuant to clause 2(a)(1) of rule IX, have precedence of all other questions except motions to adjourn only at a time or place designated by the Chair and the legislative schedule within 2 legislative days after April 11, 1997.

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

There was no objection.

PELL GRANTS

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute.)

Mr. MCGOVERN. Mr. Speaker, in his State of the Union address last week, the President of the United States discussed his plan to make college more affordable and more accessible to working families by increasing funding for Pell grants.

Pell grants serve as the very foundation of student aid for low- and middle-income families. The President's proposal would raise the maximum Pell grant award to $3,000 and would raise the total number of Pell grant recipients to over 4 million.

Mr. Speaker, I promised the people of Massachusetts that the first bill that I introduced in this House would make college more affordable for working families. This month I intend to keep that promise.

□ 1015

I will be introducing a bill that expands the President's proposal and expands the maximum Pell grant award to $5,000, bringing the award to the level at which it was created, adjusted for inflation. More students will be eligible for larger awards, giving more families the chance to send their kids to college and to realize the American dream.

I thank the President of the United States for his leadership on this issue, and I ask my colleagues to join me in making education more affordable and in making our children's future even more bright.

MYTH: WASHINGTON BUREAUCRATS KNOW BEST HOW TO SPEND AMERICA'S MONEY

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

Mr. HOEKSTRA. Mr. Speaker, I was amazed again yesterday when I read Secretary Rubin's statement in Congress Daily, implying that tax cuts would unduly harm our economy.

Think about it: What Secretary Rubin really thinks is that Washington bureaucrats know better how to spend the American people's money than the American people themselves. It takes a lot of nerve to suggest to the American people, who have to balance their own budgets, pay their own bills on time, that the Federal Government, which does not do these things, will make better decisions about managing money than they will.

It takes a lot of nerve, especially since this President is proposing an additional $1 billion in spending for a bureaucracy whose financial books are unauditable. What responsible American would put a billion dollars into a company whose books were unauditable?

This is not about tax cuts. It is about arrogance, the arrogance of the President and his advisors suggesting that a dollar spent by Washington bureaucrats is better spent than a dollar spent by parents, families, across America.

NO TIME TO WASTE

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

Mr. PALLONE. Mr. Speaker, while Democrats and the President have developed sweeping plans to strengthen our education system and provide health care for the 10 million children in this country who currently have no coverage, the Republicans have offered no specifics in return. Instead of immediately turning Congress' focus to programs that make a real difference in people's lives, like tax breaks to help pay for college, the repair of decaying elementary schools and insurance for uninsured infants, today instead the GOP has scheduled a vote on term limits.

If history is any indication, Mr. Speaker, time will show the GOP's interest in term limits today is nothing more than a delay tactic. Term limits will do nothing for schools badly in need of repair. Term limits will not teach a child to read or ensure our children receive medical attention when they fall sick.

I think we have a lot more important things to consider and we do not have time to waste. The sooner the Republican leadership learns this, the sooner we can provide quality education and health care to our children instead of spending the time today on term limits.

FEDERAL ESTATE TAX SHOULD BE REPEALED

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

Mr. PITTS. Mr. Speaker, I stand before you today to speak about my first bill and to implore my colleagues to repeal the Federal estate tax. This tax hits millions of families and small farm and business owners.

This unfair tax for too long has been burdening people of this country at one of the most difficult times in their lives, at the time of the death of a loved one. It forces them to sell assets just inherited by them so they can pay unreasonable sums to the Federal coffers.

Mr. Speaker, numerous people across the country stand to lose family farms and businesses that they have worked their entire lives to build. Faye Givler, owner of Steckel Printing and employer of 94 people in Lancaster, PA, stands to lose her life's work with this tax. Her children, just because of this tax, stand to lose it all.

Mr. Speaker, this is outrageous. With 65 cents of this tax going to enforcement and compliance, what sense is there in inflicting such stress on Americans who work hard to build their children's future? This tax threatens that simple dream. I urge my colleagues to repeal this unfair tax.

WHERE IS THE APPLE FOR OUR TEACHERS?

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, today I am meeting with representatives from the education community from the State of Texas. I want to give them hope and, most importantly, I want to answer the question, where is the apple for our teachers?

Interestingly enough, as the bipartisan team met with the President last evening, education was high on the priority, but yet today we will spend 9 hours or so talking about term limits, when the American people can elect or unelect their elected officials every 2 years.

Two years ago the Republicans were talking about slashing title I programs by $4.9 billion. If education is so important, let us get about the business of doing what we are supposed to do. Let us ensure that we have the right number of Pell grants for our college students, and our college student direct loan program. Let us really talk about education so that something happens.

Let us not just fool around with political gimmickry and term limits when we all know the American people will elect us or unelect us every 2 years. I am ready to roll up my sleeves and make education my priority and make this Nation the very best it can be for the rest of this 21st century.

SUPPORT A BALANCED BUDGET AMENDMENT

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

Mr. TIAHRT. Mr. Speaker, it happens in every household, in every business, both large and small, in every school system, in every city council, in every county government, in every checking account across the Nation, everywhere but here in the Federal Government. This Government has not balanced its budget since Neil Armstrong walked on the moon. It should be easier to balance the Federal budget than to get someone to the moon.

When we borrow money for all these lofty enterprises for the Federal Government, for each dollar that we borrow it takes at least $3 just to cover the interest to pay it back. So let us

vote for a balanced budget amendment. I urge my colleagues to vote for it, to put in place the necessary discipline so that we can secure an economic future for our children, not one at their expense.

HIGH SCHOOL IS TOO EASY

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

Ms. DELAURO. Mr. Speaker, a headline in yesterday's Washington Post provided a sad commentary on the state of our educational system. The headline read: ''Teens Tell Researchers High School Is Too Easy.''

The article revealed the findings of a recent study by the nonprofit group Public Agenda, and it was entitled, and I quote, ''Getting By.'' The survey of 1,300 high school students found that most students think their classes are not challenging enough, often lack exemplary teachers, and are filled with too many disruptive students.

We all know there are no easy answers to the ills that plague our Nation's schools, but here are some obvious first steps that we can take to address the feelings expressed by students in the survey: getting back to basics, setting rigorous standards for students and teachers, and returning discipline to the classroom.

These may sound like old-fashioned techniques but, according to this survey, a new generation of students would welcome these old ideas.

What we ought to be doing, instead of spending 9 hours in debating term limits today, is I call on the Republican leadership to please let us get to what the people want to talk about, and that is education, the affordability of it, the standards that exist in our classrooms. Let us put the Nation's business first before politics.

CONGRESS MUST WORK SERIOUSLY ON THE ISSUE OF CHILD ABUSE

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

Mr. FOLEY. Mr. Speaker, I welcome to the Chamber many people from the safety patrols from around our Nation's Capital.

I urge our colleagues to work seriously on the issue of child abuse. Not a day goes by we are not reading another detail of the sad, tragic ending of JonBenet's life, JonBenet Ramsey's life in Colorado, and daily we read in our newspapers about the violence that affects our children: sexual violence, physical violence, a lack of a decent home.

If there is a plague on America, it is our treatment of our children and our lack of response for our children. So I urge my colleagues today, as we build this bipartisan Congress, that we focus on children. On education, yes, but also their safety; that they are not intruded on, that they are not the victims of a nasty crime of sexual abuse, and that we look out for the young people of our communities to make certain that they will grow to be productive leaders in the future.

TERM LIMITS DEPRIVE PEOPLE OF CHOICE BETWEEN CITIZEN LEGISLATORS AND PUBLIC SERVANTS

(Mrs. MCCARTHY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MCCARTHY of New York. Mr. Speaker, today the House of Representatives will vote on term limit legislation. I have always believed in citizen legislators who work hard for the people, who accomplish things to make their communities a better place to live and then step aside after a few terms to let others into office to achieve new goals. It is what I have believed in and the kind of representative I am.

At the same time, I also believe in devoted public servants, citizens who dedicate their lives to learning the laws and doing good things for others. I believe Congress needs people like Senator Bob Dole and PATRICK MOYNIHAN, people who spend their lives working to improve our lives.

Term limits will deprive people of their choice between citizen legislators and public servants, and we do not need that. Term limits come from the voters at the election booth and from the legislators themselves, not from the Congress.

TERM LIMITS WILL ASSURE A SYSTEM BASED ON THE CONCEPT OF A CITIZEN LEGISLATURE

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

Mr. METCALF. Mr. Speaker, I launched the struggle for term limits in the Washington State Senate more than a quarter century ago. It was clear then and it is even more clear today that long-term service concentrates power into the hands of a few power brokers and thus reduces effective representation by the citizen legislator as visualized by our founders.

Our system is based on the concept of a citizen legislature. People should serve a limited time in a legislative body and then return to live under the laws that they have passed.

My State has passed term limits and I will abide with our three-term limit whether it is upheld by the court or not.

REPEAL THE 1993 SOCIAL SECURITY TAX ON SENIORS

(Mrs. JOHNSON of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JOHNSON of Connecticut. Mr. Speaker, our senior citizens have worked their entire lives to protect the savings that can assure them a safe and secure retirement. Social Security is one of the two pillars of retirement security for our seniors.

We owe it to them to protect the benefits that they planned for and depend upon. That is why I have introduced legislation to repeal the tax increase on Social Security that was adopted in 1993.

Our seniors helped make America the greatest country in the world. The Federal Government should not jeopardize their quality of life by punishing them with high taxes on their Social Security benefits. Repealing this increase is a matter of fairness and will help senior citizens, especially those with moderate incomes keep more of their own money in their own pockets.

I urge my colleagues to join me as cosponsors of this critical legislation for our senior constituents.

CONGRESSIONAL TERM LIMITS AMENDMENT

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 47 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 47

Providing for consideration of the joint resolution (H.J. Res. 2) 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.

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. 2) 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 two 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 the time specified in the report of the Committee on Rules 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. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. 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.

□ 1030

The SPEAKER pro tempore. (Mr. LAHOOD). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

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

Mr. Speaker, this is the first rule of the 105th Congress. It is not an ideal rule, but it is about the best that is possible given the current circumstances.

The Committee on Rules was faced with a situation where there are nine States which have passed ballot initiatives requiring Members from those States to support a particular version of the term limits constitutional amendment specified in the ballot initiative, or else they would have to have a special designation next to their names on the ballot the next time they run at the next election which would read ''disregarded voter instructions on term limits.''

Mr. Speaker, while the constitutionality of these ballot initiatives have not yet been settled in the Supreme Court, out of fairness to those Members from those States we have to proceed with the requirements as they stand today. The nine States are Alaska, Arkansas, Colorado, Idaho, Maine, Missouri, Nebraska, Nevada, and South Dakota, although I am told that Nevada will have to pass the initiative a second time before it is final.

While the constitutional amendment proposed in the State ballot initiatives all call for a limit of three terms in the House and two terms in the Senate, none of the versions are identical, and that poses a very, very serious problem about finally getting a vote on this issue.

As a result, there may be, for instance, Members from some of those nine States who can only vote for the specific version specified in their State's ballot initiative and no others. So that takes 50 or 60 Members away from perhaps the final vote on this issue.

Last Tuesday I sent out a ''Dear Colleague'' letter, and I announced on the floor that any Member wishing to offer an alternative version of the term limits constitutional amendment should submit that proposal to the Committee on Rules by noon on Monday. In response, a total of twenty substitutes were submitted; seven of these were the exact versions required by the ballot initiatives in those particular States.

In order to meet the requirements of the ballot initiatives in the seven States which requested Committee on Rules action, all seven of those versions required to comply with State ballot initiatives were made in order. They are made in order under this rule, each with 10 minutes of debate, keeping in mind that there are 2 hours of general debate on this entire issue before we get into the amendment process.

Next, since the seven State initiative versions all provide three terms for House Members and two terms for Senators, two additional amendments were made in order, one by a Democrat and one by a Republican to provide other significant alternatives to this House.

Finally, the Dingell substitute, which was offered in the last Congress as the Democratic substitute, is made in order as well.

If one of these alternatives receives a majority vote, it would replace the base text and mean that there never would be a vote on the base text unless the base text is included as a substitute. Now, that gets a little confusing, but, therefore, what we have done to give everybody, all 11 amendments, a fair shot, we have made the McCollum base text as a separate amendment. That will be the last vote taken up on the floor of all these 11 amendments.

The rule provides again for 2 hours of general debate and 10-minute time limits on all the substitutes except for the Democrat alternative and the Republican alternative, the Dingell and McCollum resolutions, and they each have 30 minutes. The amendments will be considered under a procedure known as the most votes win.

As Members know, under previous Congresses before the Republican majority took over 2 years ago, we had often used a formula of king-of-the-hill, which I thought was grossly unfair. That meant that one amendment might receive 270 votes, yet the last one taken up would receive 50 votes less but still gain the majority in the House and it would win. I think that was grossly unfair. The House would not really be able to work its will under that procedure. So we do not use that procedure anymore. So under most votes wins, this means the alternative receiving the largest majority in the Committee of the Whole will be the version reported back to the House for the final vote.

In order to expedite the voting process, the rule allows the chairman of the Committee of the Whole to cluster votes and to reduce the voting time to 5 minutes on the second and subsequent votes in any particular series. In order to ensure that the minority has one last chance to offer its final alternative, there is a motion to recommit with instructions. As in the case of all constitutional amendments, a two-thirds vote is required for passage.

Mr. Speaker, I am a supporter of term limits. Numerous polls have shown that term limits are supported by the vast majority of the American people, and that is why you see these initiatives taking place all over the country in the various States. In many areas we have term limits now.

As chairman of the House Committee on Rules, I am already subject to a three-term limit as chairman under the rules of the Republican Conference, and that is as it should be. The House rules provide that the Speaker is subject to a four-term limit. Many Governors are limited in the number of terms they can serve. Some are only allowed to serve one term. The President of the United States is subject to a two-term limit, 8 years.

It is possible to function under a system of term limits, and that is why we have this matter before us today. While there are some of us who are just as careful with a nickel as the day we were first elected, I have to say there are some that in a desire to be reelected end up saying, and this is important, saying ''yes'' to everybody and ''no'' to no one, and consequently this is how we got ourselves in this fiscal mess that we are in today.

Philosophically, I do not even support this term limitation. I think the term limitation ought to come from the voters, but how do you change something when voters say, my Congressman, BARNEY FRANK, is great but all the others are lousy.

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman will yield, I do not see anything that needs to be changed in that statement.

Mr. SOLOMON. So to be fair, I think the only way we could ever deal with this thing is to have term limits, and that is why I am supporting it here today. The House should vote yes on this rule and yes on the term limits constitutional amendment that finally survives this winner-take-all provision.

Having said all that, Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I thank my colleague, my dear friend from New York [Mr. SOLOMON], the eternal Marine, for yielding me the customary half-hour, and I yield myself such time as I may consume.

Mr. Speaker, I oppose the rule because I believe that the American voters, and nobody else, should decide who represents them. For anyone who thinks that we do not have term limits, I would remind everybody that every 2 years, the entire House of Representatives is up for reelection. Every

2 years the American people can decide who they want in and who they want out.

Mr. Speaker, 2 years is far shorter than any of the term limit proposals we are going to hear here today. The shortest term limit proposed here today is 6 years. That is 4 years longer than the term limits built right now into the ballot boxes.

Proponents of term limits argue that incumbents always win. They say the deck is stacked. Mr. Speaker, that is not true. Nobody is immune. In fact, in the last few elections, our Speaker, the chairman of Ways and Means, chairmen of other standing committees, chairmen of subcommittees have all been defeated.

Mr. Speaker, over the last 10 years, 75 percent of the Congress has turned over. Three out of every four Members who were here 10 years ago either lost or retired, and most of those were relatively new Members themselves. In other words, Mr. Speaker, most of the people serving here have never had the pleasure of serving under my colleague from New York's favorite President, Ronald Reagan.

According to the National Journal, this Congress will have a higher percentage of Members serving 3 terms or fewer than any other Congress since 1952. More than 54 percent of the Members of this Congress have been elected in the last 5 years. The reason for this big turnover, Mr. Speaker, is quite simple. We live in a representative democracy. Every 2 years, the people decide who should represent them and who should not.

No one can tell the American people who they should vote for, and no one can tell the American people who they should not vote for, no matter how long their Representatives have been here or how well they have served. To quote my dear friend Henry Hyde, the Republican chairman of the Judiciary Committee, ''We need to trust the people.''

Mr. Speaker, even if some of my colleagues do not trust the people, term limits is not the way to do it. Congressional term limits strengthen our already powerful Presidency, which will upset the constitutional balance of powers. Term limits will result in a Congress with less expertise, which is dangerously reliant on special interest lobbyists for directions, and term limits could force Members to be concerned more with their next job than with serving well in their current job.

In Federalist Paper No. 53, Mr. Speaker, James Madison said that ''A few of the Members of Congress will possess superior talents; will by frequent reelections be thoroughly masters of the public business.''

Mr. Speaker, the Founding Fathers thought about term limits and decided against them. They felt that fair and frequent elections would do more to encourage a healthy democracy than anything else. Mr. Speaker, they were right. Term limits are undemocratic. Concerns about the openness of the electoral process should not be answered with arbitrary term limits.

If you are concerned with the openness of our electoral process, then make it easier for people to run. Level the playing field. Enact campaign finance reform. But do not take away the people's right to choose their own Representatives.

Today, Mr. Speaker, we are going to vote on 11 term limit proposals. All but one of these proposals confuses me. I am confused that so many of my colleagues are for term limits, of course unless the term limit applies to them.

The only amendment we will hear today that in my opinion is sincere on the issue of term limits is Mr. Dingell's amendment. Mr. DINGELL, despite his long and distinguished career here in the House, is offering the only amendment that says we will live by whatever proposal passes the House today. His amendment would make term limits apply immediately, not 6 or 20 years down the road.

That is more than I can say for the other amendments. Every single one of these 10 amendments say, ''Do what I say, not what I do.'' I for one, Mr. Speaker, do not believe you should vote for anything that you are not willing to live by yourself.

□ 1045

I believe that Members who file term limits legislation should not wait for the decades it will take to go through the process, but they should apply the terms that they advocate to themselves and show the voters that they really mean what they say.

If term limits are good enough for the people who will come after us in the House, then they should be good enough for us. I urge my colleagues to defeat the rule. The American people and nobody else should decide who represents them.

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

Mr. SOLOMON. Mr. Speaker, did I hear the gentleman say defeat the rule?

Mr. Speaker, I yield 4 minutes to the gentleman from Sanibel, FL [Mr. GOSS], the distinguished chairman of the Subcommittee on Legislative and Budget Process of the Committee on Rules.

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

Mr. GOSS. Mr. Speaker, I thank the gentleman from Glens Falls, NY [Mr. SOLOMON], the distinguished chairman of the Committee on Rules, for yielding, and I rise in support of this rule. This is a special rule for a special issue. It is fair, it is thorough, it provides for ample debate and consideration of a broad array of options on the subject of term limits.

There is no question that when today's proceedings are done that we have had an extensive airing of the term limits issue on the floor, what we would call true deliberative democracy.

I commend the chairman and the core group of advocates who have worked so hard to make sure that we fulfilled our promise to make term limits the first substantive legislative issue to be discussed and voted on in this new Congress.

Mr. Speaker, 2 years ago this body made a historic vote, as mandated by the American people, on a constitutional amendment for congressional term limits. It was inevitable and appropriate that we would consider this issue, given the movement across this Nation, the public opinion.

Frankly, Congress has fallen way behind the people in the States on this issue. By 1995 my own State of Florida and 22 other States had adopted State-imposed term limits. But in Congress, despite garnering a majority of votes, term limits failed to achieve the constitutionally required two-thirds or 290 votes in the 104th Congress.

Now, even though it failed, we made history in that vote in the 104th Congress by having the vote, and we pledged to bring it back to this Congress; so here we are.

The constitutional amendment before us sets a national standard for a 12-year term limit on Members of Congress, one that supersedes the State-by-State approach. As we all know, the Supreme Court has ruled that State-imposed term limits on Congress are unconstitutional, leaving a constitutional amendment as the only route to address the term limits issue.

Many of us here today favor term limits as a matter of principle, and we worry less about whether it is a 6-, 8-, or 12-year restriction and about responding to the will of the people, the people we work for, the American taxpayers.

In my own State of Florida, we adopted eight is enough in 1992, and I look forward to supporting that approach on the floor today.

Of course there are clearly some among us who are opposed to any term limits as a matter of principle. As they respect my view for the principle it represents, I also respect theirs. That is why we have votes.

Unfortunately though there are those who do not see the compromise on this issue and who have perhaps unwittingly complicated today's debate. As a result of State ballot initiatives, we now have a handful of Members that are bound by nine State initiatives requiring them to vote only for their own State's version of term limits, all of them 6-year limits, but all worded slightly differently or those Members will be branded by so-called scarlet letter identification on the ballot. This makes for a very interesting mix of amendments today.

As a result of the panoply of votes we have today, many say we do not have the numbers on any one option to pass a constitutional amendment. Well, that is certainly a shame if it turns out

to be true since the will of the American people is strong on this issue. They want a citizen legislature to do the work of the people and then return home to live under the laws that that legislature creates.

I favor term limits, I have always authored my own term limits proposal, and there is one of the amendments today that closely parallels it, and I will vote for all serious term limit options that are on the docket today. If we fail today, we will keep coming back until we get this done so we might just as well support this rule and get on with the job.

I urge my colleagues' support.

Mr. MOAKLEY. Mr. Speaker, I yield 6 minutes to the gentleman from Massachusetts [Mr. FRANK], the outstanding Congressman that the gentleman from New York [Mr. SOLOMON] alluded to.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the ranking minority member. I want to say at the outset that, while I am against term limits, given the complexity of the situation I think the Committee on Rules did a very fair job in structuring this rule. Any opposition that was expressed to the rule on our side is philosophical opposition to term limits. But we have, I believe, no complaint about the rule.

The gentleman from New York accommodated the reasonable issues that were raised in the Committee on the Judiciary. He accommodated both majority and minority Members. The only thing I would express is the hope that this rule will be the model for the next 2 years because it is an inclusive and fairly structured rule, and I appreciate it.

I would just note that the gentleman from New York [Mr. SOLOMON] quite honestly, as he always does, indicated that part of the motivation; indeed I think the bulk of the motivation for term limits, is a sense that the voters can be a bad influence on this place. I mean, as the gentleman from New York said, philosophically he is elected to impose limits on democracy. He is driven to what he said, and this is a very honest and, I think, accurate statement, by the sense that during the 1980's, when there were differences, for instance, between conservatives who wanted to increase military spending and cut taxes and liberals who wanted to increase domestic spending, we compromised by doing all of the above with consequent negative effects on the deficit. The easiest way for us to resolve our difficulties was for each to accommodate the other with the consequent exposure of the deficit.

My colleague correctly points out that the public influence there was despite polls that said people did not like the deficit, in fact to urge Members to vote for things which had the effect of raising the deficit. The popular short-term vote was often a deficit-enhancing vote.

But I would point out that today everybody understands that is not true. The public may not instantly get the point of the contradiction and from what they are saying. But today public opinion is an overwhelming force for bringing that deficit down. I think that vindicates the fundamental democratic principle that one does trust the voters ultimately to express themselves accurately, and I think the voters are now doing that. That is, they helped resolve this contradiction. I think the voters have said to us: Balancing the budget is more important than a lot of other issues. That was not what they were saying in the 1980's.

So I have to say that I understand the motivation, but it ought to be made clear. People who offer term limits have at bottom a desire to limit popular influence on the deliberations of this body. The more Members who are ineligible to vote for reelection, the less public opinion will be affected.

By the way, one amendment which was offered in committee; we did not reoffer it here, but it was overwhelmingly rejected by the advocates of term limits, and it makes a point. One Member proposed that the term limit be a consecutive term limit but not a lifetime ban—at committee, one Member offered an amendment to say that this would not be a lifetime ban. It would simply mean that one could not serve a consecutive period more than 12 years, but one could leave and come back.

Now that was meant to handle the argument that the problem here is seniority and that one way to break the seniority system was with that term limit. But, overwhelmingly, Republican Members said, ''No, that is not acceptable. You cannot make an exception to the principle. The principle is 12 years and you must leave the House of Representatives.''

In other words: ''We don't want you thinking about what the voters might do in your case 2 and 4 and 6 and 8 years from now,'' and I think that confirms that this is fundamentally meant to be a limitation on democratic influence. It is a limitation on the extent to which people will be able to influence how their Members vote.

I do not think Members ought to be slavishly following the latest poll. I think Members ought to be willing in many cases to say I know public opinion disagrees with this particular vote, but I believe, given the values that I was sent here to express, that is a mistake; and I think the public will ultimately accept this judgment if I make the case.

But term limits is a way to say, look, after a certain period the voters will not pay much attention. People say term limits is to increase competitiveness. I believe it would have the opposite effect. Members who are interested, citizens interested in running for Congress in the fifth and sixth term of a Member of Congress could say, ''But why challenge an incumbent? Why not wait until the seat comes open?''

So I think this is a philosophically flawed proposal which is really an expression of frustration.

When did term limits come up? It came up after the explosion of the deficit in the 1980's when people felt the deficit would go up and up and up and Members could never be defeated. We now have a situation where the deficit has been coming down, and we have an overwhelming commitment to get it to zero by the year 2002, that Members here feel is a public expression of will. We also have a significant turnover.

So I hope that we will, when this comes before us, vindicate democracy and vote down all of these versions of term limits.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I might consume first to say that, as usual, the gentleman from Massachusetts [Mr. FRANK] was articulate and interesting. Many of the points were cogent and to the point except for one. He talks about the American people are in a deficit-reducing mode and therefore the Congress will be too. Therein lies the problem, and therein lies the reason why I have to support term limits against my own philosophy.

Just take a look at the President's budget. I was so disheartened when that budget was made public last Thursday. Instead of staying on this deficit-reducing mode, a glidepath downward, like this, to a balanced budget by the year 2002, lo and behold, in the first 4 years of the President's projections we are on the down glide, on the glidepath which reduces the budget—the deficit each year. Lo and behold, we go up in the first 3 years. Then we level off, and in the last 2 years, after the President is gone, the budget starts—the deficit starts to go back down.

We know that is not going to happen because it is too tough. If we do not make those cuts, if we do not reduce those deficits every single year, we are never going to get there. And that is why we have a Congress that just will not say—they say yes to everything and no to nothing, and we end up with these huge deficits which is literally going to bankrupt this Nation and future generations including my four grandchildren.

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

Mr. SOLOMON. Mr. Speaker, I do not have too much time, but I am going to yield to the gentleman.

Mr. FRANK of Massachusetts. I will get an extra minute, if I can.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I ask the gentleman from Massachusetts to yield 1 minute to me.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. FRANK] is recognized for 2 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, first I was interested to hear my friend say that he was going to

vote on this contrary to his philosophy. That is a precedent in his case I would urge him to follow more often. I think that would have a good effect on the body. But beyond that he made an interesting point. His view is that the President, as he sees it now, is less committed to budget balancing than Members of Congress. I differ with him factually, but let me make a point.

The President is term limited and we are not. So the gentleman's point is that the term limited President is not as committed to balancing the budget as the nonterm limited Congress, and I do not think that is a great argument from his standpoint for term limits.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Columbus, OH [Ms. PRYCE], a very, very valuable member of the Committee on Rules and a former judge.

Ms. PRYCE of Ohio. Mr. Speaker, I thank the distinguished chairman of the Committee on Rules for yielding me this time, and I rise in support of this very, very fair rule.

While some may suggest that we lack the votes to pass a term limits amendment, the issue itself is here to stay and is gaining momentum across the country. Twenty-three States have passed their own term limits initiatives, and I believe an overwhelming majority of Americans support them. In my view Congress still needs reform, and one very effective way we can bring change to this institution is to prevent the continued return to this body and to the other body of career politicians.

Some of my colleagues have argued very articulately against term limits, and there are valid arguments on both sides. But I remain convinced that limits are not only beneficial, they are essential to making Congress more effective, productive and accountable.

The Congress was meant to be a citizen legislature. The Founding Fathers and those that followed after them were laymen, not career politicians. Just think of the many benefits that would come from term limits: a regular influx of new ideas, fresh motivated Members, a Congress closer to the people and the issues facing them out there in the real world, a greater emphasis on merit rather than seniority and a better chance to guard against legislative gridlock as all Members achieve a higher level of political courage knowing that their life's work is not here in Washington and that there is life after service here.

□ 1100

I expect this to be a very interesting debate. The mere fact that we are having this debate at all after our first attempt in 1995 is testimony to just how much Congress has changed in recent years. Under this rule, Members will have a chance to consider all of the major issues involved in this historic debate, including retroactivity and allowing States to set lower limits.

Mr. Speaker, term limits is a serious endeavor, one that goes to the very heart of our goal to end the status quo in Washington. So first, I urge my colleagues to listen very carefully to what the American people are asking us to do, and then to support this fair rule so that we can have honest, full debate on the issue of term limits.

Mr. MOAKLEY. Mr. Speaker, I have no further requests for time at this time, and I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida [Mrs. FOWLER], a very valuable Member of this body and one of the real leaders in this effort to implement term limitations.

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

Mrs. FOWLER. Mr. Speaker, I rise in support of this rule. While this is not the rule those of us on the term limits task force had hoped for, it unfortunately is a rule we must have. I am pleased that this rule allows a vote on my bill, which calls for 8-year limits on House Members and 12-year limits on Senators. I want to thank the gentleman from New York [Mr. SOLOMON] and the other members of the Committee on Rules for making my amendment in order.

I will address the specifics of my amendment later when it is considered, but I rise now to talk for just a minute about this rule and why it is structured the way it is.

Mr. Speaker, we are preparing to embark on a drawn out, confusing debate on a number of term limits amendments. As has been mentioned, the reason is an initiative effort in the States by U.S. Term Limits. U.S. Term Limits calls their initiative the informed voter law. They say all they are doing is informing voters which Members support term limits and which do not. It is ironic at best and disingenuous at worst that these are called informed voter laws, because voters are anything but informed as a result of their efforts.

Let me read you what appeared on the Maine ballot: ''Do you want Maine to require candidates and elected officials to show support for term Congressional limits or have their refusal printed on the ballot?'' No mention of forcing Members to support only a 6-year limit. No mention of forcing Members to vote against any other version of term limits.

Then you have the issue of the ballot designation, or what has been called the scarlet letter. Let us say you are from Missouri, a State that passed an 8-year limit for Representatives back in 1992. If you vote for the 6-year bill as required in the initiative and you also vote for my 8-year bill, your voters will be told that you do not support term limits on the next ballot.

Let me make this perfectly clear. A term limit supporter, someone who votes for term limits, could be designated a term limits opponent on the Federal ballot. Those of us who support term limits may not agree completely on the exact language of an amendment, but we all agree that U.S. Term Limits' latest strategy is ill-conceived and ill-advised. I urge all my colleagues to read George Will's column in this week's Newsweek for more insight into this initiative and its ramifications.

We all hope that the courts will strike down this extremely dangerous and misleading manipulation of the Federal ballot. In the meantime, our Members must vote today without a definitive legal opinion. That is why this rule has been fashioned to give term limit supporters every opportunity to avoid the misleading ballot designation. I urge my colleagues to support the rule.

Mr. Speaker, I include for the RECORD the materials referred to earlier.

STATEWIDE REFERENDUM RESULTS FOR THE ELECTION HELD ON NOV. 5, 1996

Question	Question Type	Question	Yes	No
1	Citizen initiative	Do you want Maine to require candidates and elected officials to show support for Congressional term limits or have their refusal printed on the ballot?	318,119	225,620
2A	Citizen initiative	2A: Citizen Initiative: Do you want Maine to ban clearcutting and set other new logging standards?	175,078	N/A
2B	Competing measure	2B: Competing Measure: Do you want the Compact for Maine's Forests to become law to promote sustainable forest management practices throughout the State?	282,620	N/A
2C	Against A and B	2C: Against A and B: Against both the Citizen Initiative and the Competing Measure	139,176	N/A
3	Citizen initiative	Do you want Maine to adopt new campaign finance laws and give public funding to candidates for state office who agree to spending limits?	320,755	250,185
4	Bond issue	Do you favor $3,000,000 bond issue to make capital improvements at state parks and historic sites?	342,116	234,023
5	Bond issue	Do you favor a $16,500,000 bond issue for the following purposes: (1) $2,500,000 to investigate, abate and clean up threats to the public health and the environment from hazardous substance discharges; (2) $5,000,000 to protect the public health, safety and the environment by providing funds for the cleanup of tire stockpiles; and (3) $9,000,000 to protect the State's drinking water resources by granting funds to cities and towns for the closure and cleanup of their solid waste landfills?	352,924	221,542
6	Bond issue	Do you favor a $11,000,000 bond issue to encourage job growth and economic vitality by providing access to capital for agricultural enterprises and small businesses with a significant potential for growth and job creation?	370,978	202,432
7	Constitutional amendment	Do you favor a $10,000,000 bond issue for the following purposes: (1) $8,000,000 to construct water pollution control facilities, providing the state match for $10,000,000 in federal funds; and (2) $2,000,000 to address environmental health deficiencies in drinking water supplies?	360,888	209,300
8	Constitutional amendment	Do you favor amending the Constitution of Maine to require that a direct initiative petition be submitted to local officials earlier than is presently required in order to allow 5 working days rather than 2 days for local officials to certify the petitions?	367,994	187,428

Question 1: Citizen Initiative: Do you want Maine to require candidates and elected officials to show support for Congressional term limits or have their refusal printed on the ballot?

STATE OF MAINE

''An Act to Seek Congressional Term Limits''

Preamble. The People of the State of Maine want to amend the United States Constitution to establish Term Limits on Congress that will ensure representation in Congress by true citizen lawmakers. The President of the United States is limited by the XXII Amendment to two terms in office. Governors in forty (40) states are limited to two terms or less. Voters have established Term Limits for over 2,000 state legislators as well as over 17,000 local officials across the country.

Nevertheless, Congress has ignored our desire for Term Limits not only by proposing excessively long terms for its own members but also by utterly refusing to pass an amendment for genuine congressional term limits. Congress has a clear conflict of interest in proposing a term limits amendment to the United States Constitution. A majority of both Republicans and Democrats in the United States House of Representatives during the 104th Congress voted against a constitutional amendment containing the Term Limits passed by a wide margin of Maine voters.

The people, not Congress should set Term Limits. We hereby establish as the official position of the Citizens and State of Maine that our elected officials should enact by Constitutional Amendment congressional term limits no longer than three (3) terms in the United States House of Representatives, not longer than two (2) terms in the United States Senate.

The career politicians dominating Congress have a conflict of interest that prevents Congress from being what the Founders intended, the branch of government closest to the people. The politicians have refused to heed the will of the people for Term Limits; they have voted to dramatically raise their own pay; they have provided lavish million dollar pensions for themselves; and they have granted themselves numerous other privileges at the expense of the people. Most importantly, members of Congress have enriched themselves while running up huge deficits to support their spending. They have put the government nearly $5,000,000,000,000.00 (five trillion dollars) in debt, gravely threatening the future of our children and grandchildren.

The corruption and appearance of corruption brought about by political careerism is destructive to the proper functioning of the first branch of our representative government Congress has grown increasingly distant from the People of the States. The People have the sovereign right and a compelling interest in creating a citizen Congress that will more effectively protect our freedom and prosperity. This interest and right may not effectively be served in any way other than that proposed by this initiative.

The foresight of our Founders provided the People with a path around congressional self-interest under Article 5 of the Constitution. Pursuant to Article 5, the People may seek a convention to propose amendments to the Constitution when two-thirds of the States (34) apply for such a convention. Amendments proposed by a convention would become part of the Constitution upon the ratification of three-fourths of the states (38). Therefore, the state of Maine, hereby amends its Compiled Laws pursuant to our power under the state constitution.

We hereby state our intention that this law lead to the adoption of the following Constitutional Amendment:

CONGRESSIONAL TERM LIMITS AMENDMENT

Section A. No person shall serve in the office of the United States Representative for more than three terms, but upon ratification of this amendment no person who has held the office of the United States Representative or who then holds the office shall serve for more than two additional terms.

Section B. No person shall serve in the office of United States Senator for more than two terms, but upon ratification of this amendment no person who has held the office of United States Senator or who then holds the office shall serve in the office for more than one additional term.

Section C. This article shall have no time limit within which it must be ratified to become operative upon the ratification of the legislatures or Conventions of three-fourths of the several States.

Therefore, We the People of the State of Maine, have chosen to amend the Compiled State Laws to create legislation that will inform voters regarding incumbent and non-incumbent federal candidates' support for the above proposed CONGRESSIONAL TERM LIMITS AMENDMENT and incumbent and non-incumbent state legislators' support for the following proposed application to Congress:

We, the People and Legislature of the State of Maine, due to our desire to establish term limits on Congress, hereby make application to Congress, pursuant to our power under Article V, to call an Article V Convention.

Be it enacted by the People of the State of Maine as follows:

Sec. 1.21–A MRSA c. 9, sub-c. I–A is enacted to read:

SUBCHAPTER I–A—CONGRESSIONAL TERM LIMITS ACT OF 1996

§ 641. Short Title

This subchapter may be known and cited as the ''Congressional Term Limits Act of 1996.''

§ 642. Definitions

As used in this Act, unless the context otherwise indicates, the following terms have the following meanings:

1. Application. ''Application'' means an application to the Congress of the United States to call a convention for the purpose of proposing an amendment to the United States Constitution to limit to 3 terms the service of members of the United States House of Representatives and to 2 terms the service of the United States Senate.

2. Proposed amendment, ''Proposed amendment'' means the following proposed amendment to the United States Constitution set forth in The Congressional Term Limit Act of 1996:

CONGRESSIONAL TERM LIMITS AMENDMENT

Section A. No person shall serve in the office of United States Representative for more than three terms, but upon ratification of this amendment no person who has held the office of United States Representative or who then holds the office shall serve for more than two additional terms.

Section B. No person shall serve in the office of United States Senator for more than two terms, but upon ratification of this amendment no person who has held the office of United States Senator or who then holds the office shall serve in the office for more than one additional term.

Section C. This article shall have no time limit within which it must be ratified to become operative upon the ratification of the legislatures or Conventions of three-fourths of the several States.

§ 643. Ballot for incumbent Legislator

1. Notation of violation of voter instruction. Except as provided in subsection 2, the Secretary of State shall print on all primary, general and special election ballots ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' adjacent to the name of any Legislator who during the current term of office failed to:

A. Vote in favor of the application when brought to a vote in any setting in which the Legislator served, including, but not limited to, either legislative body, a committee, a subcommittee or the legislative council;

B. Second the application if it lacked for a second in any setting in which the Legislator served, including, but not limited to either legislative body, a committee, a subcommittee or the legislative council;

C. Vote in favor of all votes bringing the application before any setting in which the Legislator served, including, but not limited to either legislative body, a committee, a subcommittee or the legislative council;

D. Propose, sponsor or otherwise bring to a vote of the full legislative body the application if it otherwise lacked a legislator who so proposed or brought to a vote of the full legislative body the application;

E. Vote against any attempts to delay, table, rerefer to committee or otherwise prevent a vote by the full legislative body of the application;

F. Vote in favor of any requests for the yeas and nays on all votes on the application;

G. Request the yeas and nays on all votes on the application if it otherwise lacked a Legislator who so requested;

H. Vote against any change, addition, amendment or modification to the application in any setting in which the Legislator served, including, but not limited to either legislative body, a committee, a subcommittee or the legislative council;

I. Either be present and voting during any consideration of the application in any setting in which the Legislator served including, but not limited to, either legislative body, a committee, a subcommittee or the legislative council, or, if absent during any consideration of the application in any setting in which the Legislator served, including, but not limited to either legislative body, a committee, a subcommittee or the legislative council, be recorded in favor of the application via pairing or other absentee provision;

J. Vote against any proposed repeal of or amendment to this Act;

K. Vote against any legislation that would supplement or alter this Act;

L. Vote in favor of the proposed amendment when it is sent to the states for ratification, in any setting in which the Legislator served, including, but not limited to, either legislative body, a committee, a subcommittee or the legislative council; or

M. Vote against any amendment to the United States Constitution with longer limits than those specified in the proposed amendment if any such amendment is sent to the states for ratification.

2. Exceptions. The language ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' may not be printed adjacent to the name of a Legislator if:

A. Notwithstanding subsection 1, paragraphs A to K, the State has made application for the purpose of proposing the proposed amendment and that application has not been withdrawn or the proposed amendment has been submitted to the States for ratification;

B. Notwithstanding subsection 1, paragraphs L and M, the State has ratified the proposed amendment; or

C. Notwithstanding subsection 1, the proposed amendment has become part of the Constitution of the United States.

3. Determination. The Secretary of State shall determine whether to print ''VIOLATED VOTER INSTRUCTION ON TERM

LIMITS'' adjacent to the name of a Legislator in accordance with this section no later than the time that nomination petitions are certified. The Secretary of State shall make public this determination at the time that information regarding nomination petition certifications is made available to the public.

4. Challenge of determination. The determination made by the Secretary of State may be challenged under the same process that exists for challenging petition certification under sections 337 and 356. A challenger or candidate may appeal the decision of the Secretary of State by commencing an action in Superior Court in accordance with the Maine Rules of Civil Procedure, Rule 80–8. In this action, the Secretary of State shall be responsible for showing clear and convincing evidence to justify the Secretary of State's determination.

§ 644. Ballot for incumbent Governor

1. Notation of violation of voter instruction. Except as provided in subsection 2, the Secretary of State shall print on all primary, general and special election ballots ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' adjacent to the name of any Governor who during the current term of office failed to:

A. Veto any attempt to amend or repeal this Act; or

B. Veto any legislation that would supplement, alter or effect this Act in any way.

2. Exception. The language ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' may not be printed adjacent to the name of a Governor as required by subsection 1, if the proposed amendment has been submitted to the States for ratification and ratified by this State or the proposed amendment has become part of the United States Constitution.

3. Determination. The Secretary of State shall determine whether to print ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' adjacent to the name of a Governor in accordance with this section no later than the time that nomination petitions are certified. The Secretary of State shall make public this determination at the time that information regarding nomination petition certifications is made available to the public.

4. Challenge of determination. The determination made by the Secretary of State may be challenged under the same process that exists for challenging petition certification under sections 337 and 356. A challenger or candidate may appeal the decision of the Secretary of State by commencing an action in Superior Court in accordance with the Maine Rules of Civil Procedure, Rule 80–B. In this action, the Secretary of State shall be responsible for showing clear and convincing evidence to justify the Secretary of State's determination.

§ 645. Ballot for incumbent members of Congress

1. Notation of violation of voter instruction. Except as provided in subsection 2, the Secretary of State shall print on all primary, general and special election ballots ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' adjacent to the name of any United States Senator or Representative who during the current term of office;

A. Failed to vote in favor of the proposed amendment when brought to a vote in any setting in which the congressional member served including, but not limited to, either legislative body, a committee, a subcommittee or a legislative council;

B. Failed to second the proposed amendment if it lacked for a second before any proceeding of the legislative body including, but no limited to, either legislative body, a committee, a subcommittee or a legislative council;

C. Failed to propose, sponsor or otherwise bring to a vote of the full legislative body the proposed amendment if it otherwise lacked a congressional member who so proposed;

D. Failed to vote in favor of all votes bringing the proposed amendment before any committee, subcommittee or in any other setting of the respective house upon which the congressional member served including, but not limited to, either legislative body, a committee, a subcommittee or a legislative council;

E. In any other settings of the respective house in which the congressional member served, including, but no limited to, either legislative body, a committee, a subcommittee or a legislative council, failed to reject any attempt to delay, table, rerefer to committee or otherwise postpone or prevent a vote by the full legislative body on the proposed amendment;

F. Failed to vote against any proposed constitutional amendment that would increase term limits beyond those in the proposed amendment regardless of any other actions in support of the proposed amendment;

G. Sponsored or cosponsored any proposed constitutional amendment or law that would increase term limits beyond those in the proposed amendment;

H. Failed to vote in favor of any requests for the yeas and nays on all votes on the proposed amendment;

I. Failed to sign any discharge petition that would cause the proposed amendment to be considered by the full legislative body;

J. Failed to either be present and voting during any consideration of the proposed amendment in any setting in which the congressional member served including, but not limited to, either legislative body, a committee or subcommittee or, if absent during any consideration of the proposed amendment in any setting in which the congressional member served, including, but not limited to, either legislative body, a committee or subcommittee, be recorded in favor of the proposed amendment; by means of pairing, proxy voting or other absentee provision.

2. Exception. The language ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' may not be printed adjacent to the name of any member of Congress as required by subsection 1 if the proposed amendment has been submitted to the states for ratification or has become part of the United States Constitution.

3. Determination. The Secretary of State shall determine whether to print ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' adjacent to the name of any member of Congress in accordance with this section no later than the time that nomination petitions are certified. The Secretary of State shall make public this determination at the time that information regarding nomination petition certifications is made available to the public.

4. Challenge of determination. The determination made by the Secretary of State may be challenged under the same process that exists for challenging petition certification under sections 337 and 356. A challenger or candidate may appeal the decision of the Secretary of State by commencing an action in Superior Court in accordance with the Maine Rules of Civil Procedure, Rule 80–B. In this action, the Secretary of State shall be responsible for showing clear and convincing evidence to justify the Secretary of State's determination.

§ 646. Pledge to support term limits.

1. Pledge requirement. Until the proposed amendment becomes part of the United States Constitution, the Secretary of State shall offer to candidates for the Congress of the United States, Governor, the Maine Senate and the Maine House of Representatives the term limits pledge set forth in subsection 3. The Secretary of State shall provide pledge forms to the candidates. The candidates must sign and file with the Secretary of State the pledge forms before the commencement of petitioning for ballot access. Except as provided in subsection 2, for a candidate who refuses to take the term limit pledge, the Secretary of State shall print ''REFUSED TO PLEDGE TO SUPPORT TERM LIMITS'' printed adjacent to the candidate's name on every primary, general and special election ballot.

2. Exception. The language ''REFUSED TO PLEDGE TO SUPPORT TERM LIMITS'' may not be printed adjacent to the candidate's name on every primary, general and special election ballot when, pursuant to section 643, 644 or 645, the notation ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' shall appear adjacent to the candidate's name.

3. Term limits pledge. The Secretary of State shall offer the following term limits pledge;

A. For all candidates for the United States Senate and the United States House of Representatives;

''I support term limits and pledge to use all my legislative powers to enact the proposed amendments to the United States Constitution set forth in the Congressional Term Limits Act of 1996. If elected, I pledge to act in such a way that the designation ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' will not appear adjacent to my name.

_____

Signature for Candidate''

B. For all candidates for Governor:

''I support Term Limits and pledge, if elected, to use all my delegated powers to enact the proposed Constitution Amendment set forth in the Congressional Term Limits Act of 1996. I pledge to use all my delegated powers to cause the Legislature to make application under the United States Constitution, Article V, to the Congress of the United States as set forth in the Congressional Term Limits Act of 1996. I pledge to veto any attempt to amend or repeal the Congressional Term Limits Act of 1996. I pledge to veto any legislation that would supplement, alter or affect the Congressional Term Limits Act of 1996 in any way.

_____

Signature of Candidate''

C. For all candidates for the Maine Senate, the Maine House of Representatives:

''I support term limits and pledge to use all my legislative powers to cause the Legislature of the State of Maine to make application to the Congress of the United States for a constitutional convention under Article V of the United States Constitution, and to enact the proposed amendment to the United States Constitution set forth in the Congressional Term Limits Act of 1996. If elected, I pledge to act in such a way that the designation ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' will not appear adjacent to my name.

_____

Signature of Candidate''

4. Determination. The Secretary of State shall determine whether to print ''REFUSED TO PLEDGE TO SUPPORT TERM LIMITS'' adjacent to the name of candidate in accordance with this section no later than the time that nomination petitions are certified. The Secretary of State shall make public this determination at the time that information regarding nomination petition certifications is made available to the public.

5. Challenge of determination. The determination made by the Secretary of State may be challenged under the same process that currently exists for challenging petition certification under sections 337 and 356. A challenger or candidate may appeal the decision of the Secretary of State by commencing an action in Superior Court in accordance with the Maine Rules of Civil Procedure. Rule 30-B. In this action, the Secretary of State shall be responsible for showing clear and convincing evidence to justify the Secretary of State's determination.

Sec. 2. Legislators directed to make application to Congress. Each member of the Maine Senate and the Maine House of Representatives shall use all of that Legislator's delegated powers to make the following application under the United States Constitution, Article V, to the Congress of the United States:

''We, the People and Legislature of the State of Maine, due to our desire to establish term limits on Congress, hereby make application to Congress, pursuant to our power under Article V, to call an Article V Convention.''

Sec. 3. Governor directed to aid an application and ratification. The Governor shall use all of the Governor's delegated powers to aid the Legislature in making the application specified in Sec. 2 to the Congress of the United States under Article V of the United States Constitution.

Sec. 4. Congressional delegation directed to propose congressional term limits amendment. Each member of the state's congressional delegation shall use all of that member's delegated powers to propose and vote for the following amendment to the United States Constitution:

CONGRESSIONAL TERM LIMITS AMENDMENT

Section A. No person shall serve in the office of United States Representative for more than three terms, but upon ratification of the amendment no person who has held the office of United States Representative or who then holds the office shall serve for more than two additional terms.

Section B. No person shall serve in the office of United States Senator for more than two terms, but upon ratification of this amendment no person who has held the office of United States Senator or who then holds the office shall serve in the office for more than one additional term.

Section C. This article shall have no time limit within which it must be ratified to become operative upon the ratification of the legislatures or Conventions of three-fourths of the several States.

Sec. 5. Jurisdiction. Any legal challenge to this Act shall be filed as an original action before the Supreme Court of this state.

Sec. 6. Severability. If any portion, clause, or phrase of this initiative is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, the remaining portions, clauses, and phrases may not be affected, but shall remain in full force and effect.

STATEMENT OF FACT

This bill accomplishes the following:

1. It requires the Secretary of State to offer to all candidates for the Legislature, Governor and Congress a pledge to support congressional term limits and requires that, if a candidate refuses to sign the pledge, the Secretary of State print adjacent to that candidate's name on the ballot the words ''REFUSED TO PLEDGE TO SUPPORT TERM LIMITS.''

2. It requires that the Secretary of State print adjacent to the candidate's name on the ballot the words ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' if an incumbent candidate for Governor, Congress or Legislature fails to vote in the manner specified in the bill.

3. It directs the Legislature to make application to Congress calling for a constitutional convention to propose an amendment to the federal constitution to require congressional term limits and directs the Governor to aid in such application. It also directs the State's congressional delegation to work to propose such an amendment to the federal constitution.

INTENT AND CONTENT

This initiated legislation seeks to impose term limits of 3 terms (6 years) for the United States House of Representatives and 2 terms (12 years) for the United States Senate in five ways:

1. It would direct the Main Legislature to apply to the United States Congress to call a constitutional convention, pursuant to Article V of the United States Constitution, for the purpose of enacting an amendment to the United States Constitution imposing Congressional term limits.

2. It would direct each member of Maine's Congressional delegation to vote for a constitutional amendment establishing Congressional term limits.

3. It would require the Secretary of State to print on any election ballot the phrase ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' next to the name of any member of the Maine Legislature or any Governor who fails to use all of his or her powers to secure passage of an application to the United States Congress for a constitutional convention to establish Congressional term limits.

4. It would require the Secretary of State to print on any election ballot the phrase ''VIOLATED VOTER INSTRUCTION ON TERM LIMITS'' next to the name of any member of the Maine Congressional delegation who fails to use all of his or her legislative powers to cause the United States Congress to pass an amendment to the United States Constitution imposing Congressional term limits.

5. It would require the Secretary of State to print on any election ballot the phrase ''REFUSED TO PLEDGE TO SUPPORT TERM LIMITS'' next to the name of any candidate for Governor, the Maine Legislature or the United States Congress who fails to sign a form pledging to use all of his or her powers to secure passage of an amendment to the United States Constitution imposing Congressional term limits.

A ''YES'' vote approves the initiative.

A ''NO'' vote disapproves the initiative.

[From Newsweek, Feb. 17, 1997]

SAVE US FROM THE PURISTS—SOME SUPPORTERS OF TERM LIMITS HAVE DEVISED A TACTIC AT ODDS WITH THE BEST REASON FOR LIMITS

(By George F. Will)

Since the apple incident in Eden, the human race has been disappointing. Hence term limits for Congress may become one of the few exceptions to the rule that when Americans want something, and want it intensely and protractedly, they get it. Only the political class can enact limits, and limits would be unnecessary if that class were susceptible to self-restraint.

That is a structural problem of politics with which supporters of term limits must cope. But the organization U.S. Term Limits is an unnecessary impediment to term limits. As the House votes this week on the issue, consider what happens when a reform movement's bandwagon is boarded by people ignorant of, or indifferent to, the principal rationale for the reform.

USTL is a bellicose advocate of term limits, and, like fanatics through the ages, it fancies itself the sole legitimate keeper of the flame of moral purity. However, it has actually become the career politician's best friend. That is why it was opponents of term limits who invited a USTL spokesman to testify at recent House hearings on the subject. Opponents understand that USTL's obscurantism, dogmatism and bullying embarrass the cause.

The primary argument for term limits is not that, absent limits, there will be a permanent class of entrenched incumbents shielded from challenges by advantages of office. Although incumbents who choose to seek re-election still are remarkably safe—91 percent of them won in the turbulence of 1994 and 94 percent won in 1996—most members of Congress arrived there in this decade. (This rotation in office has been produced partly by something the nation does not wish to rely on—revulsion arising from scandals and other malfeasance.) And the primary argument for term limits is not that Congress is insufficiently ''responsive'' and hence must be made ''closer to the people.'' Rather, the primary argument is that we need ''constitutional space'' (the phrase is from Harvard's Harvey Mansfield) between representatives and the represented.

Term limits are a simple, surgical, Madisonian reform. By removing careerism—a relatively modern phenomenon—as a motive for entering politics and for behavior in office, term limits can produce deliberative bodies disposed to think of the next generation rather than the next election. This is the argument favored by those who favor term limits not because of hostility toward Congress, but as an affectionate measure to restore Congress to its rightful role as the First Branch of government. This would put the presidency where it belongs (and usually was during the Republic's first 150 years), which is more toward the margin of political life.

Intelligent people of good will differ about whether term limits are a good idea, and supporters of limits differ concerning the appropriate maximum length of legislative careers. Most supporters consider six House and two Senate terms a temperate solution. It is symmetrical (12 years in each chamber) and allows enough time for professional learning, yet removes the careerism that produces officeholders who make only risk-averse decisions while in office. USTL is not merely eccentric but preposterous and antithetical to dignified democracy because it insists that three House terms is the only permissible option.

If USTL merely espoused this position, it could simply be disregarded as a collection of cranks. What makes it deeply subversive of the term limits movement is its attempt to enforce its three-House-terms fetish by using a device that degrades what the movement seeks to dignify—the principle of deliberative representation. Last November in nine states with 30 House members (19 of them Republicans, whose party platform endorses term limits) USTL sponsored successful campaigns to pass pernicious initiatives. These stipulate precisely the sort of term limits measures for which those states' members should vote, and further stipulate that unless those members vote for them and only for them, then when those members seek re-election there must appear next to their names on the ballot this statement: ''Violated voter instruction on term limits.''

More than 70 percent of Americans favor the principle of term limits without having fixed, let alone fierce, preferences about details. But USTL, tendentiously presenting meretricious ''evidence,'' baldly and farcically asserts that Americans believe that term limitation involving six House terms is not worth having. Because of USTL's coercive device of ''instruction,'' there may have

to be a dozen votes this week on various term limits amendments to the Constitution. And USTL's ham-handedness probably will produce a decline in votes for the most popular proposal—six House and two Senate terms. No measure is yet going to receive the 290 House votes or 67 Senate votes needed to send an amendment to the states for ratification debates. However, USTL's rule-or-ruin mischief will splinter the voting bloc that last year produced 227 votes for a 12-years-for-each-chamber amendment.

The thinking person's reason for supporting term limits is to produce something that USTL's ''instruction'' of members mocks—independent judgment. USTL, which thinks of itself as serving conservatism, should think again. It should think of that noble fountain of conservatism. Edmund Burke. In 1774, having been elected to Parliament by Bristol voters, Burke delivered to them an admirably austere speech of thanks, in which he rejected the notion that a representative should allow ''instructions'' from voters to obviate his independent judgment. He said ''government and legislation are matters of reason and judgment'' and asked: ''What sort of reason is that in which the determination precedes the discussion?''

In the 1850s some Abolitionists were interested less in effectiveness than in narcissistic moral display, interested less in ending slavery than in parading their purity. The abolition of slavery required someone (Lincoln) who was anathema to fanatical abolitionists. Similarly, restoration of deliberative democracy will require patient people, not USTL's exhibitionists.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to my dear friend, the gentleman from California [Mr. DREIER].

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. DREIER].

The SPEAKER pro tempore. The gentleman from California [Mr. DREIER] is recognized for 7 minutes.

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

Mr. DREIER. Mr. Speaker, I thank my friends from Massachusetts and New York for yielding me this time.

Let me say that I rise in strong support of the rule, and my friend from Massachusetts might not like what I am going to say at the outset here, but I suspect he will like what I say a little later.

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

Mr. DREIER. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, maybe I should yield the gentleman 1 minute at a time then.

Mr. DREIER. Mr. Speaker, I would say to my friend that he will begin to enjoy what I have to say as I persevere closer to the 5 minutes. He will not like the first minute.

Let me say that for years many of us tried to get the issue of term limits brought to the House floor for debate, and there was an inclination by the chairman of the Committee on the Judiciary, Mr. BROOKS of Texas, to keep that measure bottled up in committee. So I joined with other opponents of term limits in signing a discharge petition to try and get it moved to the House floor because keeping it bottled up in committee did in fact really, I believe, circumvent the will of the American people and the will of many Members of this institution. So that is why I congratulate my party for coming into the majority and bringing this issue to a full debate.

I think that this rule, which the gentleman from New York [Mr. SOLOMON] and the Committee on Rules have crafted, does allow for a wide range of provisions to be considered, but having said that, I do strongly oppose term limits. In fact, I remember, and I would say to the gentleman from New York [Mr. SOLOMON], very vividly when 8 years ago last month Ronald Reagan turned over the reins of the Presidency to George Bush, and at that time President Reagan said, ''My number one priority in leaving Washington will be the repeal of the 22d amendment to the Constitution.''

The 22d amendment to the Constitution was passed by Republicans, pushed by Republicans, because of a very high level of frustration over the fact that Franklin Delano Roosevelt was continually reelected by the American people, and now Democrats and Republicans alike recognize that Franklin Roosevelt was in fact one of the great Presidents of this century.

It seems to me that repeal of the 22d amendment should be a top priority, and so I just introduced a few minutes ago House Joint Resolution 51, which will in fact repeal the 22d Amendment of the Constitution, doing what Ronald Reagan said was his top priority upon leaving this town. And that, I believe, underscores the very, very important reason, following Ronald Reagan's direction here, underscores the very important reason for us not to amend the Constitution to impose term limits.

Now, I understand that the gentleman from Massachusetts [Mr. MOAKLEY], although I did not hear it in his opening remarks, talked about the turnover that has taken place over the past several years. It is my understanding that during the decade of the 1990's, we have seen a turnover of 62 percent of the membership of this institution. New ideas are obviously flowing in and they have flowed in based in large part on the fact that the American people have, to the shock of many in this institution, been perceptive enough to change their Representatives in Congress.

I mentioned a few moments ago the former chairman of the House Committee on the Judiciary. He is one of the three reasons that I voted against term limits last time. Well, there were many more, but among the three, and they were Jack Brooks, Dan Rostenkowski, and Tom Foley. Those three incumbents, the Speaker, two very powerful committee chairmen obviously had all the resources needed to be reelected. And they had loads of campaign contributions, the power of incumbency, the power of their chairmanships, and yet, while many people argued for years and years and years, the voters in those districts would never have the intelligence to replace Rostenkowski, Brooks, and Foley. Well, the fact of the matter is, in uphill struggles, we had challengers who defeated those three people. For the first time since the 1860's a sitting Speaker of the House was defeated, and it was done without amending the U.S. Constitution.

So it seems to me that if we look at that fact, and interestingly enough, and it saddens me, two of the three victors in that 1994 election were defeated in the 1996 election. The gentleman from Washington [Mr. NETHERCUTT], who defeated Tom Foley, is the only one remaining in this institution, so a turnover is taking place there.

Mr. Speaker, if we look at the fact that a natural turnover has taken place, it seems to me that we should be very careful in moving ahead with an amendment to the Constitution. So I think that the arguments of staff having too much power; we all revere the staff around here, but the fact of the matter is, with term limits I think staff would get too much power.

If we look at the fact that many people say that whenever we deal with a legislative challenge around here, what we should do is amend the U.S. Constitution. I think that that was an inspired document, and I think that the Founding Fathers were inspired when they decided not to impose term limits on the President of the United States, and they were equally inspired when they established three qualifications for service in the U.S. House of Representatives: 25 years of age, an American citizen, and a resident of the State one hopes to represent. We should allow the people to work their will in making the kind of decision that is better for them in their representation here.

So I support the rule, urge my colleagues to vote in favor of the rule, but I will vote no on all of the provisions that call for imposing constraints on the voters of this Nation.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Massachusetts for his kindness, and certainly to the ranking member on the Committee on the Judiciary for the hard work, and the gentleman from Illinois [Mr. HYDE] for the generosity of spirit in his beliefs that the American people speak every 2 years, and that is our term limits. Chairman HYDE was generous in allowing this debate to come to the floor of the House.

Mr. Speaker, I rise today to speak against this rule, and quite to the contrary, I am saddened by the fact that we could not find it in the minds and hearts of the Committee on Rules to have an open rule on this so-called very important issue.

Interestingly enough, I might add that when I go home to the district,

and as I have spoken to many of my colleagues, rarely do I hear as a biting issue of the day term limits. Questions arise every day about education and the environment; they arise about our ability to be civil and to work in a bipartisan spirit to emphasize the importance of a budget that carries us forward, firm, balanced, but yet fair to all of the American people; sometimes talks about tax relief and reforming the welfare reform to be just in its treatment of all of those who are inside the boundaries of the United States of America. I hear issues about social justice and women's rights, but never this question called term limits.

So I am saddened to be able to say to the American people that the first legislative item that comes before this body is really bound in political gimmickry. Interestingly enough, more than 54 percent of the Members of the House in the 105th Congress have been elected in the last 5 years. I might imagine that over a number of years in the future, we will find quite a bit of turnover. In fact, we are finding younger and younger ranking members and chairmen of committees. This is good, this is energy, this is how the people speak. They have spoken in the House of Representatives and, yes, they have spoken in the U.S. Senate.

Yes, I realize that nine States, Alaska, Arkansas, Colorado, Idaho, Maine, Missouri, Nebraska, Nevada, and South Dakota have passed the so-called scarlet letter initiatives. So be it, their people have spoken.

□ 1115

How unfortunate, however, that in passing such an initiative they would label their Members by the label on the ballot that says, this particular person disregarded our voter instruction on term limits. They do not talk about how the Member voted on education and the environment, how the Member will address the national defense or crime. They are concerned and they want to label someone on that basis.

My response? So be it; the people have spoken. But just because of those nine States, I do not believe that we have any place in the U.S. Congress to assess and to deny the American people their right to elect or unelect their Representative every 2 years. The Founding Fathers—and as I always say, no mothers were present, although Abigail Adams said to John Adams, ''Don't forget the ladies,''—framed the Constitution to allow those who participate in this process to elect Members of the House of Representatives every 2 years, and those in the U.S. Senate every 6 years.

Why then are we stalling around this issue that already has an answer in the American public's mind: that is, their vote every 2 years. They have voted. In 1994 and 1996 they let their voices be heard, changing the majority in 1994 and emphasizing a bipartisan approach in 1996.

I am disappointed that the Committee on Rules did not see fit to add the two amendments that I proposed, I think pure amendments. Interestingly enough, out of the 11 amendments, only 2 come from the Democratic Party. I would say that if Members are serious about term limits, they would have supported the term limit amendment that I had, that said, leave it to the States.

If the States want to put no years of limitation, 20 years, 30 years, or 5 years, then if Members believe in the people speaking, why not have allowed for us to vote on an amendment that says the States can choose any sort of term limits that they desire? Would it have been disruptive? Nothing is disruptive when the people speak. But yet that was not received or allowed to be debated on the floor of the House.

I wonder about the seriousness of this issue. If Members think the people should speak back in Florida or Texas or California, then allow those people to design for themselves how long they want their legislators to be in the U.S. Congress.

Then I might add that in order to be even closer to the people, I added an amendment or offered an amendment that we should do it by convention. What does that mean? That is a procedure in the U.S. Congress or Constitution that allows for conventions to be held in States by delegates, people who would then vote for term limits or not for term limits.

Mr. Speaker, this is a fraud on the American people. We can vote for our elected officials and the Congress every 2 years. Let us uphold the Constitution, Mr. Speaker. Let us do the right thing.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, I noticed in one of the reviews of the various amendments that the amendment that is in order that I will be presenting has been inadvertently mistaken in its terms. That review mistakenly suggested that my amendment would limit the House Members to 3 terms, or 6 years for Members of the House.

This is an error. In fact my amendment, like most others, sets a limit of 6 terms or 12 years for the House. My amendment is identical to the McCollum substitute, except for the fact that it allows States to set a shorter limit if they desire than those in the underlying resolution. It does nothing else. It is identical, except for the fact it allows the States an option to go lower.

For those reviews that have suggested otherwise, they are in error. Today's Congressional Quarterly review is accurate in its description.

Mr. Speaker, I support the rule and oppose the underlying bill, without the amendment.

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

Mr. SOLOMON. Mr. Speaker, the gentleman from Virginia [Mr. SCOTT] was correct in his analysis of the substitute.

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

The SPEAKER pro tempore. Pursuant to House Resolution 47 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the joint resolution, House Joint Resolution 2.

The Chair designates the gentleman from Washington [Mr. HASTINGS] as Chairman of the Committee of the Whole, and requests the gentleman from North Carolina [Mr. JONES] to assume the Chair temporarily.

□ 1120

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 2) proposing an amendment to the Constitution of the United States with respect to the number of terms of office of Members of the Senate and the House of Representatives, with Mr. JONES (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Florida [Mr. CANADY] and the gentleman from Michigan [Mr. CONYERS] each will control 1 hour.

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

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

Mr. Chairman, today for the second time in its history the House of Representatives will debate and vote on the issue of limiting the terms of Members of Congress. The first debate and vote on term limits occurred less than 2 years ago, in March 1995.

At that time, although a majority of the Members of the House voted in favor of the proposed amendment to the Constitution limiting the terms of Members of the House and Senate, the vote fell short of the two-thirds majority required for proposing constitutional amendments under article V of our Constitution.

Today we renew the debate and attempt once more to give the legislatures of the States an opportunity to address this important issue. Since the House considered this issue in 1995, it has become clear beyond any doubt that amending the U.S. Constitution is the only means of enacting term limits for Members of Congress. The Supreme Court has struck down State-enacted measures to limit congressional terms, and made clear that nothing short of an amendment to the U.S. Constitution will be successful in establishing term limits.

Some advocates of term limits have again focused their efforts on the State level. This last election, the voters of nine States adopted initiatives to require their Federal representatives to give their exclusive support to a 6-year term limit in the House and a 12-year term limit in the Senate, or face a notation next to their name at the next election that the representative disregarded voter instructions on term limits.

Time and experience will demonstrate whether this strategy is effective in advancing the term limits cause. While these initiatives have been criticized on various grounds, the Members of this House should neither scorn nor ignore these expressions of the will of the American people. The continuing grass roots effort in support of term limits shows that this is an issue that will not quietly fade away. In State after State, the American people have spoken directly and unequivocally in favor of term limits. That is why we are here today.

It is clear that the voters want a significant change in the structure of the Congress. They want representation, which is both more deliberative and more responsive to the interests of the Nation. In 1776, in his Thoughts on Government, John Adams wrote that ''A representative assembly should be in miniature an exact portrait of the people at large. It should think, feel, reason, and act like them.''

This concept of representation is at the heart of the movement for term limits. The American people want representatives who think, feel, reason, and act like the American people. Does the current system produce a Congress that thinks, feels, reasons, and acts like the American people, or does it produce a Congress that in many respects is insulated and isolated from the people?

The American people are convinced that the current system does not produce the kind of representation that meets the standard articulated by Adams. The people are convinced that a limitation on the terms of Members of Congress is necessary to create an environment in which those they elect and send to Congress will continue to think and feel as the American people think and feel, and to reason and act as the American people reason and act.

Congress has become too much like a permanent class of professional legislators who use the powers of the Federal Government to perpetuate their own careers. There are many incentives which combine to turn Members of Congress into career legislators. Term limits will break the power of entrenched incumbency. It will give us representatives who put serving the interests of the people and advancing the good of the Nation ahead of perpetuating their own legislative careers. With term limits, Members of Congress will come to Washington with their eyes firmly set on the goal of working for the good of the Nation, rather than on the objective of permanently maintaining themselves in office.

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

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

The true leader is an amateur in the proper, original sense of the word. The amateur, from the Latin word for love, does something for the love of it. He pursues his enterprise not for money, not to please the crowd, not for professional prestige or for assured promotion and retirement at the end, but because he loves it.

Aristocracies are governed by people born to govern, totalitarian societies by people who make ruling their profession, but our representative government must be led by people never born to govern, temporarily drawn from the community and sooner or later sent back home.

Mr. Boorstin goes on to conclude,

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

By enacting term limits, we will be doing our part to keep alive this distinctive virtue of democracy. We will help make certain that those who come to Washington as representatives of the people will think, feel, reason, and act like the people, and that Congress is, in the words of Adams, ''a portrait of the people at large.''

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

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

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

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

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

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

Mr. CONYERS. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas, Ms. SHEILA JACKSON-LEE, one of our more distinguished members on the Committee on the Judiciary, a future chairperson.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from Michigan [Mr. CONYERS] for his persistent defending of the Constitution. I appreciate the gentleman from Florida [Mr. CANADY] and his remarks on the value of this document that now has served this Nation for centuries as we move into the most highly cited new century, the 21st century.

I happen to be from the thinking of the sacredness and preciousness of the document, albeit that I could argue now, standing in the well, that I and those who come from the representative community that has a racial definition was not recognized as a full human being by the Constitution in its makings. I then would probably be in good standing to reject this document called the Constitution, and say that it did not protect me in the first place.

But I stand now in the well of the House as we all do, as an American, having great confidence in the understanding and intellect and the appreciation that the American people have for the Constitution.

□ 1130

I even cite quite frequently the Declaration of Independence that says, in part, we all are created equal with certain inalienable rights of life and liberty and the pursuit of happiness.

I noted earlier that I was disappointed that although the ranking member, the gentleman from Massachusetts [Mr. MOAKLEY], raised and the Democrats raised the amendments that I thought would bring this matter closer to the people, it was rejected by the majority and so my amendments dealing with letting the States do it, pure States decision, no matter what limit they would have, was rejected and also to allow the people in a convention to vote on it was rejected.

But now we have 11 amendments and a term limits amendment on the floor of the House, and it is characterized as allowing the people to speak.

I would ask the question of the 11 amendments and the term amendment, whether we could ever get any sort of consensus on any of them. That means the people will not speak because we have provided so much, we have had so many limitations. We have got anything from 6 to 12 years to eliminating everyone in the U.S. Congress. And I know there are some who would look this evening on the 6:00 news and say, great, they have passed an amendment that would have everyone leaving the floor of the House and the Senate right now. They are termed out.

I know, however, the body of the American people are wiser, far more sensible and far more appreciative of this democratic process than that. So in actuality, we have a mockery here today. None of these amendments would garner the majority of support of the American people. There is no documentation, no data. We have 50 States. There are only nine States that have put in provisions that have suggested they want to have term limits.

What do term limits do? They take away the voice of the people. You take away the history and the understanding of the process. You take away the wisdom that is garnered by working and understanding the issues. You leave it to those who have no stake in the democratic process.

I respect individuals who are in the hierarchy of the Federal Government who are unelected. I know they are public servants as well, but there is no affirmation year after year of them by the American public. So if you limit those who are then voted upon, those who are pro-life, those who are pro-choice, they lose their voice. Those who want more of the environmental concerns and consideration versus those who heighten the property ownership issues lose their voice. Those who are proponents of social justice and want to rid us of the death penalty versus those who understand that victims have rights lose their voice.

Term limits is, again, a frivolity. It is a blight on this democratic process. It is to reject that we have already had 54 percent of those in the House of Representatives alone change out.

Sadly, though we have not come here to separate us, I always sit sometimes quietly and wonder, as this House becomes more diverse, African Americans and Hispanics and Asians and women, I would hate to think that there is a silent commentary, now is the time to have term limits. Now is the time to throw the bums out.

I want accountability. I want reasonable campaign finance reform. I want ethics in government. I want a fair utilization of your dollar. I want a recognition that we are here to do the people's business. But I am saddened that we are taking the hours of the people's business to talk about term limits when each of us have within our power and the people have to say it to us, you are termed out. We can personally say it. Some Members have. I applaud them. That is their personal choice. And others have responded to the call of the public.

I would not have taken this amount of time, Mr. Chairman, had it not been a serious issue for me. For whenever we tamper with the Constitution, a document that has been admired by the world public as a hearty document, as a document of justice, I am concerned with the potential quagmire of limiting the people's right to select one person who has been good for them, who voices their concerns, who captures the history of this Nation, who are leaders like a Sam Rayburn or a Jack Brooks, Tip O'Neill, Speakers and others who have reflected on the dignity of this House. When shame is brought upon this House, I would be the first to tell Members that we must rid ourselves of the shame. But term limits is a myth. It is a fraud. It is not democracy. It is carrying forth a political promise.

I implore my colleagues on the other side of the aisle and others who believe that they are compelled to support this that, yes, I think they should vote your conscience. I certainly think they should vote the way they think the representative body should want them to do, but I would ask them in a moment of calmness, in a moment of thoughtfulness, to analyze the basic values of the Constitution of the United States of America. It is for me to allow the people to speak.

I would hope that maybe I will have the opportunity to address that by submitting, again, my amendment that the States be allowed to do as they choose but only in the context of supporting the fact that we in America believe in allowing the people to speak.

Mr. Chairman, I rise in opposition to House Joint Resolution 2; an amendment to the Constitution of the United States limiting the terms of Members of Congress.

As an elected Member of Congress, I, along with each member, took an oath to defend and protect the Constitution of the United States of America. This oath and commitment I do not take lightly, even if I alone must defend the Constitution against the very people with whom I took that oath and with whom I stand today.

The Constitution is a sacred document which must not be changed based on the reactionary whims of Congressional members. We are not above the Constitution, we are included in the Constitution and each of us have sworn to serve as defenders and protectors of the Constitution.

The issue of term limits is one that threatens the power of the American people to exercise a basic right granted by the Founding Fathers of our great country—the right to vote for the representative of their choice. This resolution shatters the core principle of freedom and seeks to spoil a right that many sacrificed, fought and died for—the right to vote for whom they choose.

Article I, sections 2 and 3 of the Constitution, outlines the requirements and terms of Members of Congress, which include qualifications of age, citizenship, and residency.

Section 2 states that ''the House of Representatives shall be composed of Members chosen every second year by the people of the several States * * *'' This language of the Constitution is clear in that every 2 years, the people are to choose who will represent them, not current Members of Congress.

Section 2 of the Constitution further states that ''no person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.''

This language says nothing about the ability of current Members of Congress choosing who may not represent the people of a particular district by virtue of a Member's previous service.

Additionally, section 3 of article I of the Constitution states that ''the Senate of the United States shall be composed of two Senators of each State chosen by the legislature thereof, for six years * * *;'' but the American people, in choosing to adopt the 17th amendment, saw fit to reserve the power of who will represent the people in the Senate for themselves.

The pertinent part of the 17th amendment states that ''the Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years. * * *''

I submit to you that if the Founding Fathers and writers of our Constitution wanted to include a provision that limited the number of years that an individual could serve as a representative of a group of constituents, they most certainly would have done so. However, they did not. We are wise to follow their wisdom.

If passed, this amendment would only serve to severely limit the ability of voters across our country to take part in a process that is as old as the Constitution itself.

I must state that as an African-American Member of Congress, I am rather skeptical of any effort to change or alter the ability of citizens to vote for the Member of their choice. For members of the African-American community are well aware of the dangers and consequences of limited access and limited choices.

Supporters of this resolution aver that term limits will first, decrease the influence that special interest groups have on legislation; second, allow for fresh ideas to be brought to Congress; and third, permit greater access to Members for constituents.

Let me be the first to say that the constituents of the historic 18th Congressional District—the district of Barbara Jordan and Mickey Leland—will always demand and share unlimited access to their Congressperson and their congressional office. This office is not my office. It is the office of the people of the 18th Congressional District whom I have the privilege of representing.

The residents of the 18th Congressional District influence legislation each and every day. The office is inundated with letters and phone calls from our faithful constituents.

I submit that the arguments of the supporters of term limits are disingenuous. If Members were genuinely concerned about the undue influence on legislation that special interest groups may have on particular Members, they only have to listen more to the voices of their constituents and combine with our commitment to the greater good; this will solve any problem with the alleged negative impact of any special interest group.

Furthermore, the supporters of this resolution should include a provision which makes prior service to the House of Representatives and election to office a factor when considering eligibility for future service. Currently, this resolution does not do that. It is prospective in nature and does not apply to Members of Congress retroactively. This is a sham to the American public.

Additionally, a constitutional amendment limiting the terms of congressional Members is duplicitous and redundant in nature. Currently, the American people may vote or not vote for whom they choose. They most recently made their choices known in the last election. This was accomplished by the people exercising their right already granted by the very Constitution which some seek to unnecessarily amend. The will of the people was accomplished without an amendment to the Constitution. The voters spoke and America listened.

I hope that we can all agree that the constitutional decision of who should represent the residents of a particular district are the voters of that district, not those of us sitting here today. To suggest otherwise is to arrogantly place ourselves above the Constitution.

We are wise to be wary of too much Government intrusion into the lives of our citizens. How arrogant would it be to say to the eligible voters of America that we know what is best for you when it comes to choosing who will represent you. Let us put an end to this nonsense and get on with the business that the people of America sent us here to do.

I am not in favor of deciding for the American people exactly who will be available to serve as a Member of Congress and who will not be by virtue of their previous service.

This issue borders on the absurd. This resolution has the effect of penalizing a Member because he has the experience of representing the people of his district.

Make no mistake. By seeking to limit the terms of the representatives of the people, you are actually limiting the will of the people.

Mr. Chairman, allow me to make a simple analogy. Term limits equals forced terms.

By offering this resolution, you are not only seeking to limit the terms of elected Representatives. You are seeking to force the terms under which a citizen may vote for his or her representative. You are forcing citizens to accept terms and conditions that are unacceptable. You are dictating to the voting population that these are the terms by which we think you should elect someone else to represent your concerns in Congress.

The voice of the American people is heard when the vote of the American people is cast. Let us not muffle the resounding voice of the American people by limiting the vote of the American people. I urge my colleagues to reject this resolution.

Mr. CANADY of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. HYDE], chairman of the Committee on the Judiciary.

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

Mr. HYDE. Mr. Chairman, I would ask my friends not to ask me to yield because I have a lot to say and a limited time within which to say it.

The popularity of term limits is a measure of the low esteem our citizens have for politics and politicians. Some of my colleagues may think that is fine. I think it is dangerous. Of course the way we attack each other and the way we demean this institution in every campaign, it is no wonder we are held in contempt. But before we leap off the cliff, before we amend the Constitution, we might give some passing deference to our Founding Fathers who over 200 years ago rejected term limits for Congress as they fashioned for us a representative democracy.

I can remember the time when cynicism was a pathology, not the rule, when it was an honor to be elected to public office. As our Nation hurtles forward into an evermore complicated world, how self-destructive it is to jettison our most capable leaders when we need their wisdom, we need their judgment so terribly much.

Freedom is always in crisis. America has need of its giants with their sense of the past and their vision of the future. To adopt term limits is to play Russian roulette with the future. Since it is a constitutional amendment we are asked to adopt, it is reasonable to ask its proponents just what they want, what they seek to accomplish.

Now it gets a little confusing, a little murky. One faction insists that Congress is too remote and unresponsive and is more interested in reelection than in serving the people. We will call this the Bob Novak wing because he is its most zealous advocate. But the other faction, led by George Will, says we are too close, too responsive to the people, and term limits will put some needed constitutional distance between us and a too demanding constituency. I ask, which is it, fever or frostbite? Are we too distant or are we too close?

It appears to me term limits supporters are standing on two stools and as they separate, they are in danger of getting a constitutional hernia. It is a mighty strange rationale to amend our Constitution when its staunchest advocates cannot agree on its consequences.

Speaking of journalistic anomalies, syndicated, columnist and talk show celebrity Bob Novak also publishes a newsletter with his partner Rollie Evans. No one this side of the editorial page of the Wall Street Journal is more vigorously committed to term limits than Bob Novak. But I received in the mail the other day an advertisement for the Evans and Novak political report and believe me, it is a symphony to experience.

In fact on page 4 it makes a memorable claim, and I quote:

> Between the two of us, Rowland Evans and I have been reporting on Washington and national politics for a combined total of 90 years.

I guess if you put their years of reporting end to end, they would have started when the senior Senator from South Carolina was 4 years old.

Should we adopt a three-term limit version, enormous superclasses will enter the House in 6-year cycles and developing effective leaders will be a roll of the dice. A revolving door membership means a revolving door leadership with no continuity, no stability, and certainly no historical memory.

Imagine telling these statesmen they cannot serve any longer, their 6 years are up or their 12 years are up: John Quincy Adams, Henry Clay, Arthur Vandenberg, Everett Dirksen, Sam Ervin, Hubert Humphrey, Henry Scoop Jackson, Barry Goldwater, Bob Dole, ROBERT BYRD, Bill Natcher, LEE HAMILTON. Would we survive as a free Nation as strong as we are without these people?

Implicit in the argument for term limits is a premise that serving in Congress is not a particularly difficult job. Scholars say that 200 years ago Tom Jefferson knew everything that was worth knowing. Well, today that is hardly possible. Just think of the range and the depth of knowledge necessary to deal with just a few of the issues that confront us:

Electric power deregulation, a $208 billion industry with countless competing interests; States rights; monopoly power; environmental safety. No easy answers here.

Well, Superfund reauthorization, plagued by litigation and delay; we need solutions regarding retroactive liability; a stable and fair funding stream. An easy task? I do not think so.

Encryption of electronic communications; reconciling the needs of commerce with the needs of defending this country from terrorists and law enforcement. Not too easy. Medicare and Social Security reform, the effect of the baby boom retirements on all our social insurance programs, ABM defense, China, human rights versus trading with the most populous country in the world.

I have not scratched the surface. But this is no place for amateurism. A Congressman who makes a career of public service, who is willing to make the sacrifice and the commitment develops a record, a standard of comparison to be judged by from election to election, and he is accountable for the long-term consequences of his action. No hobbyist legislator, no part-time lame duck legislator can share that kind of motivation.

Term limits will encourage early exits. An attractive job offer comes along, you take it when it comes along because it might not be there when your term is up and you have to leave.

Term limits will reduce competition for office. Why run this year when the seat will be vacant in 2 years? A system that does not reward effectiveness and seniority will discourage the most capable, the very people we desperately need. Term limits diminishes the opportunities to develop strong ties with your constituencies, with your communities. It diminishes the incentives and the opportunities, and this is no virtue.

Term limits hands off power to the bureaucrats, the lobbyists, the executives and the other body, thus debilitating democracy in this Chamber. Under term limits this Chamber will be peopled by young men and women starting their careers, plus the few older people who will lose nothing by serving a term or two in Congress. But missing will be those in mid-life who must give up careers in law or business for a career of public service. We need them all, the young, the old, and those in the prime of life. Such a rich and varied mix makes this place a real House of Representatives.

When we amend the Constitution, we should expand liberty, not diminish it, not contract the voters' choice. This amendment is not conservative. It is reactionary. It echoes the 1960's theme, ''never trust anybody over 30.''

The last time we debated this issue, we opponents were accused of arrogance, that we were the only ones who were qualified to govern. On the contrary, the beginning of wisdom is knowing how much you do not know. And if there is any arrogance here, it is

among those who have no idea how difficult it is to draw the line between liberty and order and would deny the voters the right to choose whom they will to help draw that line.

□ 1145

In a very sad way, this amendment demeans public service as a corrupting influence. It reeks of cynicism and pessimism.

Let me tell my colleagues a story. On March 15, 1783, in Newburgh, NY, some officers in the Revolutionary Army met to plot an insurrection. They were furious at an uncaring Congress, one that had not paid them or their hungry troops in a long time.

Suddenly in their midst General Washington appeared and asked leave to address the group. Out of respect for him, they let him speak. At the end, Washington wanted to read a letter from a Congressman explaining why there were no funds to pay the troops.

General Washington searched for his spectacles because he could not read the letter. When he found them, he said, ''You will permit me to put on my spectacles, for I have grown blind in the service of my country.''

Now, there are no General Washington's among us, but there are a few whose long and faithful service deserves admiration and respect, not oblivion.

Public service is like climbing a mountain. The view from halfway up is better than the view from the bottom. And the higher one climbs, the more the horizon expands, and near the top one can see sights one never knew existed.

The right to vote is the heart and the soul, it is the essence of democracy. Do not artificially restrict the choices available to the voters on election day. If the consent of the governed means anything to my colleagues, then our task today is to defend the consent of the governed, not to assault it. Do not give up on democracy. Trust the people.

Mr. CONYERS. Mr. Chairman, I yield myself 1 minute.

My colleagues, I think we have heard from one of the most thoughtful of our Members. The chairman of the Committee on the Judiciary sets an example of the kind of comity that he talks about, because he has reported out a bill that he may not agree with. He has done it expeditiously and on time. He has neither incurred the wrath nor stimulated the rancor of any member of the Committee on the Judiciary, and I think that the RECORD should reflect it from those of us who serve on the committee.

Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. FRANK], the distinguished ranking member of the subcommittee.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the ranking member for yielding me this time and I am honored to follow the chairman, who appropriately discussed this issue in its philosophical context because we are talking here about as fundamental a question as can be addressed in the body of elected officials.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, I thank the gentleman.

I made an error in my remarks. I referred to the senior Senator from South Dakota, whom I have no interest in mentioning, but I meant the senior Senator from South Carolina; and I wish to correct that in the RECORD.

Mr. FRANK of Massachusetts. Mr. Chairman, reclaiming my time, the gentleman is correct, and I think in the future just refer to him as the senior Senator from the Earth and that would probably make it clear to people to whom the gentleman is referring.

Mr. Chairman, there are a number of lesser arguments that can be made on this which counter the arguments in favor. One argument has been, well, it is too hard to defeat incumbents. We know of course that that is simply no longer factually true. There was a period in our politics when incumbents seemed to be hard to defeat.

I was always puzzled by that argument, still am. We must be the only profession in the world in which an indication that your employers are very satisfied with your work is taken as a sign that something is terribly wrong.

If anyone in any other business maintains a good relationship with those who decide whether or not to continue to use the services, that is considered a good thing. A doctor, a lawyer, a grocery store manager, a shoe repair person, a teacher, anyone whose employers say, ''Great job, keep at it,'' anyone to whom people keep returning for their custom is generally considered to be very good at their job.

But in our case being approved of on a regular basis by those to whom we owe primary allegiance has been considered by some to be a bad sign. But even by that, it seems to me a wholly flawed measure. The arguments for this amendment have decreased. People know how to throw out of office those who they do not feel are serving them well. Members here have been defeated, Members have been turned out.

In fact, let us be very clear. The underlying amendment here, the 12-year amendment, we will get back to this when we get the amendment from the dean of the House, the gentleman from Michigan, [Mr. DINGELL]. The unknown amendment which would add 14 years to what everybody now here serves would apply to less than 20 percent of the House. In fact, 12 years is already an upper limit for many, many Members.

We also heard the deficit argument. And the people said, well, the deficit was caused by all these people trying to get reelected. I will return to that argument because that is the core, it seems to me, of the flaw, namely that the people are a bad influence in this place and if we can somehow diminish their influence, we would be better off.

But even that argument is flawed. There was a period in American history during the 1980's when conservatives, liberals, Republicans, and Democrats resolved their differences by agreeing to each other's deficit-enhancing proposals. So we wound up with more domestic spending, more military spending, with tax cuts, and the result was a ballooning of the deficit in which all parties were somehow complicit.

But we have now seen a very drastic public shift. People are now driven to reduce that deficit by the very public influence that the proponents of this amendment want to kick out. It is the worst example of cultural lag seen in a long time because it builds on a temporary period in American history.

And it was, if we look at this, and I am sure historians will conclude this, the term-limit movement was a specific response to people frustrated not with the system of American government but with the results that were being produced by that system at a particular period in history, and that is no longer there.

But even if I did not agree on those two points, even if I did not agree that the amendment has been weakened on those two points, I would be fundamentally opposed to this amendment because, as the gentleman from Illinois pointed out, this essentially seeks to alter democracy, to reduce the choices of the voters. It is at bottom a view, as the gentleman from Illinois has consistently and courageously articulated, it is at bottom a view that says we cannot trust the voters.

The voters are, according to the proponents of this amendment, too easily seduced. The voters must be put in some kind of fetters. Because we leave to the voters of America, unconstrained, the choice every 2 years of who should represent them in the House of Representatives and every 6 years who should represent them in the Senate, two fairly profound choices, and this amendment says leave to the unconstrained choice of the American people who they wish to have represent them every 2 years and every 6 years and the results will be bad.

What else can that be but a negative judgment on the competence of the voters? What else is it but a notion that the voters are too easily bamboozled? We would be in a terrible situation if that were the case.

We have a sad problem in parts of the world. Algeria was an example. What do we do when we bring democracy to a voting public and it votes to end democracy? That is a fundamental philosophical problem for those of us who believe profoundly in democracy as a guarantor of the basic rights of human beings.

We do not believe in democracy because it is fun to sit up on election night. We believe, given the inherent

nature of human beings, when we give one set of human beings consistently power over another, we better give those over whom the power is offered some self-defense weapons, because people have a tendency to abuse power and wield it to their own interest.

The ability to vote for or against them on a periodic basis is that fundamental guarantor, the nearest we can come, in this imperfect world, to fairness on the part of the voters.

So we get this amendment, which says that does not work, and let us restrict what the public can do. Let us tell the public that there is one set of choices they can make.

And, by the way, people have said, well, what about the Presidency? First, I do think we can make a somewhat stronger argument for limiting an executive than a legislator, but I oppose both.

In 1985 our former colleague, Mr. Vander Jagt, of Michigan, introduced a constitutional amendment to repeal the limiting amendment on the President. He wanted to allow Ronald Reagan to run for a third term. I cosponsored that amendment, although I will confess that if my colleagues polled me, I probably would have come out leaning against a third term for Mr. Reagan, but I thought democracy meant people had a right to do something even if I was not going to approve of the outcome, and I have consistently supported a repeal of that.

But there is even a stronger argument for doing this with a legislator. One might argue an executive accretes too much power. I do not agree that that is a reason to overcome democracy, but it is an argument that cannot be made. There has not been a single legislator in the history of this country who can be deemed to have accumulated the power in foreign policy, in committing troops to war, in appointing Federal judges that any President has if he is there for a year. There is a great disproportion.

Indeed, that is another reason to be against this amendment. One is the constraint on democracy. The other is this amendment would do more to alter the balance in favor of the executive and against the legislature than any other single action we could take, with the possible exception of the legislative veto.

And it is interesting, I read in The Hill this morning that some of the Republicans who were all for the legislative veto are now worried about how it might enhance Bill Clinton's power too much and are thinking of ways to restrict the use of it. That is an entirely reasonable fear. But this one would enhance the executive even more.

No one is proposing, nor would anyone, I think, propose term limits for the bureaucracy. We certainly do not want to say that nuclear engineers, medical research supervisors, prosecutors, other very important specialists in this Government, people who are expert in fission, people who are expert in foreign policy, no one is proposing that every 12 years they have to leave.

I do not use the term ''bureaucracy'' in a negative sense. Some of my close relatives are bureaucrats. I have an enormous respect for those who work for this Federal Government because, in many cases, particularly in these areas of expertise, they are very, very talented people working for far less compensation than they would get in the private sector.

We are lucky that we have lawyers willing to work as prosecutors for a small percentage of what they would get if they were out there in the private sector. We are lucky there are dedicated scientists working purely to try to find ways to combat illnesses when they could make more in the private sector.

But one of the jobs that we have, as we all know, is to intervene on behalf of our constituents, whether they be individuals or municipalities or businesses or labor unions. We intervene on behalf of individuals when they have been unfairly treated. And there are no perfect institutions in this world. Bureaucrats, as much as I admire them, will from time to time treat people unfairly. That happens to everybody.

My ability to intervene on behalf of my constituents, my staff and I, is enhanced by the experience we have. I will tell my colleagues that now I am a better advocate for those in my constituency who may have been treated unfairly than I was in my first and second and third term. It may level off after a while, but if we adopt a 12-year term limit, and this is, of course, a fortiori if we do a 4-year or a 6-year term limit, we then have to figure most people will not serve up to the limit.

People will begin to see, as the gentleman from Illinois pointed out, they will begin to see the term limit approaching and they will start taking alternative jobs. No one will wait until the minute they have to go out the door to do alternative planning. So they will start leaving. They will live for the private sector and other public jobs. The median service in this place will go down very substantially.

What that will mean will be that the institutional memory in this city will be almost exclusively an executive branch institutional memory. We will have experienced, dedicated executive branch appointees and executive branch personnel dealing with relatively inexperienced legislators and staff.

I am not one who thinks this will help the legislative staff. Legislative staffs tend to go with the Members, particularly the personal staff, those who do a lot of the constituency intervention work. We will greatly enhance the power of the executive, even a term-limited President. Because it is not the President's policies we are often dealing with when we intervene on behalf of our constituents, it is the ongoing bureaucracy, and a bureaucracy that must be ongoing in our interest. Well-intentioned, the best bureaucracy in the world will make those mistakes.

So two streams come together. First, this is an amendment that says the American experiment in giving the people unrestrained power to decide who should represent them every 2 years was a mistake. That was not, of course, the experiment, as the gentlewoman from Texas pointed out, of 1787.

□ 1200

That did not become American practice until the 1920's. And in fact probably not even until the 1960's. It was not until after the passage of the Voting Rights Act and the other constitutional amendments dealing with other restrictions until we got rid of literacy tests and poll taxes of a discriminatory kind. But we have had now in America, I believe, as unconstrained a democracy as it is possible to have in a modern complex urban society.

Can we not be proud of that? Can we not be proud of the fact that in America there are fewer formal restrictions on the ability of citizens to vote for their Representatives than I believe in any other society with which I am familiar. Have the results really been that bad? I do not think so. I think America still is a place of great envy in the world. We certainly still are from the immigration standpoint, from the problem that everybody wants to come here.

Our economy, the state of our liberty, all of us can find flaws, but all of us I think would acknowledge that they are in pretty good shape. And the mechanism for improving on them must be self-correction. I do not want to add further. Add term limits to the line-item veto and the first President to serve during that era of term limits with a line-item veto, I guarantee you will be the most powerful President in the history of the United States, because the legislature will have put one more shackle on itself and ended a two centuries old tradition in America of expanding the freedom of the voters. We did it with direct election of Senators, with doing away with property rights, with empowering African-Americans, with letting women vote, with reducing the vote to 18.

With the exception of the 22d amendment, which I think was obviously just fear of FDR coming back again, with that exception, every time we have amended the American Constitution regarding our system, we have expanded democracy. This would be the most significant reactionary act, as the gentleman from Illinois correctly labeled it.

Let us not tell the American people that we have decided after 200 plus years of successful and expanding democracy that the fundamental premise that we can trust the voters, unconstrained, to make the best decisions in their own interests was a mistake, and passing an amendment that so severely

limits them, the most severe limitation on the right of the voters to have been put forward in the history of this country. Do not undo the very proud democratic history of this country. Let us continue to be a beacon to the world of what representative government, electoral freedom, unconstrained, can produce.

Mr. Chairman, I thank the gentleman for indulging me in the time.

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

Mr. LOBIONDO. Mr. Chairman, one thing I wanted to start off with is I often hear where a great American, one of our Founding Fathers, is quoted in this great body of ours. We refer to him often, sometimes when it is more convenient than others, and that is Thomas Jefferson, who in 1787, soon after formulating our Constitution, this is what he had to say: ''The second feature I dislike—about the new Constitution—and greatly dislike, is the abandonment in every instance of the necessity of rotation in office.''

This is Thomas Jefferson, one of the people we put a great deal of faith and trust in. Before I came to Congress, I believed in term limits and after having served here for 2 years, I feel stronger than ever before that this is absolutely the right way to go. I think that term limits are needed so that we can maintain the energy level necessary to keep up with what is necessary to give 150 percent, and I think it is somewhat questionable if you can do that after 25 years, or less than that.

I think it is necessary to make sure that Members stay in touch with their district, the real world. While this is where we work and vote, the real world is back in our districts. That is what we need to keep the link with. I think we need to make sure that Members stay rooted in what their constituents feel strongly about, what they feel passionately about, what is on their minds. In my belief, term limits will help us do that. Creating a healthy turnover among Members will make our Federal Government less responsive to the needs of special interest groups and more responsive to the needs of everyday Americans that we are entrusted to represent.

I do not imagine, and I cannot conceive, that our Founding Fathers ever would have envisioned elected officials making a career out of politics.

Mr. CONYERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. SCOTT], a distinguished colleague of mine from the Committee on the Judiciary.

Mr. SCOTT. Mr. Chairman, the gentleman from Illinois has outlined the reason why we have to have experience and the necessity of having experience and the value of democracy. We also have to look at the fact that people have already used their power to vote. There has been significant turnover in the House in the last few years. The voters have voted out old and young alike. They have discovered that some of the newer Members are totally out of touch, some of the more veteran Members are in fact more in touch and need to be returned, and they have used that power.

Mr. Chairman, we should not trivialize the Constitution with amendments that are not necessary. We have before us so many variations on that amendment that it is so clear that we have not studied this sufficiently to know which version is the correct version. In fact, we have not even decided what the problem is.

As the gentleman from Illinois indicated, some have said that voters need to be closer to the people, that Congressmen need to be closer to the people. Others have said if this passes we will be further away from the people. It is like snake oil. Whatever you want, this will cure.

We also have a question of how close legislators ought to be to special interests. In fact, in your first term, you are more beholden to special interests than you are when you have served a number of terms. That is because after you have established yourself, you can raise your own money and you can get your own votes without having to rely on the special interests. People want Congressmen to be more interested in the people's business.

As the gentleman from Massachusetts pointed out, when each Representative comes and has to look towards the next job instead of a career where you are required to attend to the people's business, you will find that legislators as soon as they arrive will be looking towards that next job, many of which may be employed by the various special interests that we may be voting on their interests.

Mr. Chairman, we have a situation in Congress where we are very contentious and we want to improve the atmosphere in Congress. But if you think about that, are we more likely to be courteous to those that we are going to have to spend an indefinite amount of time with or those we know we will not see after next year?

And then finally we find an interest to listen to the people. The people have expressed their interest in term limits, and we find this very resolution will overrule the specific expressions of many States who have said that 6-year term limits are preferable, not 12. So if we listen to the people, we should reject House Joint Resolution 2 because it would not allow the shorter limit that people have spoken to. In fact, some States do not want term limits at all. We should have adopted as in order the amendment of the gentlewoman from Texas [Ms. JACKSON-LEE] which would give the States the option if we are going to have any term limits at all.

Mr. Chairman, we have not determined which version is appropriate. We have not even determined what problem we are trying to solve. Term limits may sound like a catchy idea, but the existing limits, called elections, are the best way to go.

I ask Members to vote ''no'' on House Joint Resolution 2.

Mr. CANADY of Florida. Mr. Chairman, I yield 7 minutes to the gentleman from South Carolina [Mr. INGLIS].

Mr. INGLIS of South Carolina. I thank the gentleman for yielding me the time. I appreciate the opportunity to have this debate on the floor of the House today and to have this historic vote on term limits, the second in the history of the country.

Let me start by thanking the chairman of the Committee on the Judiciary who spoke very eloquently before, against term limits, but to thank HENRY HYDE for being willing to let this come through his committee and for being willing to let there be this debate on the floor of the House so that the American people can hear the debate and know that their voices are being heard. It speaks very well for the chairman to allow that to happen, and it also speaks well for the leadership of this House.

Speaker GINGRICH promised that when we failed in the Contract With America to get enough votes to propose a constitutional amendment here in the House, he promised that this would be the first substantive vote of the new Congress if he were still Speaker. Here we are at the first substantive vote of this new Congress, promises made, promises kept, I very much appreciate the integrity of the leadership for seeing that happen.

So with thanks to the leadership and thanks to Chairman HYDE for allowing this to come through the committee, I would start by saying, Mr. Chairman, that the issue of term limits is one that the American people understand to be the best reform we could bring to the institution of Congress. There has been a lot of discussion about whether we need term limits in order to get rid of experienced people.

The chairman of the Committee on the Judiciary particularly spoke to that. I would differ slightly with that. I do not think that is really necessarily the goal of term limits, to throw out people with experience. Because in fact we have no objection in the term limits effort if HENRY HYDE wanted to run for President, I would be one of the first to sign on to the HENRY HYDE for President committee. We do not have a problem with that kind of experience.

What we do have a problem with is a Congress made up of incumbents who are virtually safe in their House districts, such that there is almost no way for them to be defeated. As evidence of that, let me present some statistics about the reelection rate of House incumbents, starting in 1990.

In 1990, of those incumbents who wanted to come back, in other words, some people retire, some people get indicted, I suppose, some people do whatever and leave this House. But of those

who wanted to come back, 96 percent came back in 1990. In 1992, the year that I came here, 88 percent of incumbents, those who stood for reelection, who wanted to come back to serve in the House, came back—88 percent rate of reelection. Then in 1994, the rate of reelection was 90 percent. That is interesting, because a lot of people assumed that in 1994 we had major change, significant change here in the House, and we did get some change. A lot of that change came from open seats. Very little change came from actual losses by incumbents to challengers—90 percent were reelected in 1994. And in 1996 we were back up to a 94-percent rate of reelection. In other words, 94 percent of us who wanted to come back, came back as a result of the 1996 election.

This does not indicate that the American people are terribly satisfied, I do not think, however. Some would use these statistics to say, ''Well, that is because they love me. That is why they keep sending me back.'' I do not think that is exactly it. I think it is mostly that there are tremendous advantages of incumbency. The biggest one is fundraising. Of course the way we have got the campaign finance system set up, the PAC system rewards incumbents. It protects incumbents from voters. It makes it so that incumbents become virtual shoo-ins for their reelection.

Some would say, therefore, that is an argument not for term limits, that is an argument for campaign finance reform. I would agree that it is a good argument for campaign finance reform, but even if we get campaign finance reform, and I certainly hope we do, there are still tremendous advantages to incumbency.

In 1992, I was one of these folks who was running in a challenge race. During the course of the 1992 campaign, just as a very small illustration of what I am talking about, about the other nonfundraising advantages of incumbency. I was invited on precisely one plant tour. I got that one opportunity to tour a plant because one of my partners prevailed upon his client who owned the plant and begged my way in to tour his plant. One plant tour. Everybody that is a Member of Congress, I am sure, sitting here, has had the same experience.

Now, as an incumbent, there is a list of people who would be happy to have me come tour their plant. Generally what happens is people sort of stop production, they gather people around, and it turns into a town meeting. It is a wonderful opportunity for them, and a way to hear about their Government, and I appreciate that, and it really is a very valid thing about going there and doing the plant meeting and having that opportunity. But it is also a significant advantage to incumbency, not just in fundraising but in these other things.

Then when you consider the fact that you have the opportunity to be in the media quite frequently in your local district, the result is, particularly here in the House, significant advantages to incumbency. What we see is that Members are able to create virtually safe seats in cozy House districts.

□ 1215

Term limits would change that, and some would criticize and say, well, then in the term limit effort it would be inconsistent to allow, say, HENRY HYDE to run for President. I do not think so. I think that it would be wonderful if the gentleman from Illinois [Mr. HYDE] wanted to run for President; I would again sign on.

Not many people in the term limit effort had much of an objection, for example, to Governor Reagan running to be President Reagan. We do not lose the talent that everybody is talking about losing out of this body; we just redirect it. The talented Member of Congress can run for Governor, and the talented Senator can run for President, and between President and Governor there are dozens of other positions for those folks to fill very capably and to continue making a contribution to public service.

We do not want to discourage public service in term limits. What we want to do is bring in some fresh folks.

Now of course the argument is that a clear majority of the people in this House have been here for less than the term limit that we are proposing, which the one that will get the most votes, of course, will be the 12-year proposal. That may be true. But what we have to look at is the number of people in the senior positions in the Congress and have they been here longer than that term limit. The answer is ''yes,'' they have been here. So while we get change in this body, it is typically at the lower levels of the body, not in the leadership roles. It is critical to get that kind of change even at the higher levels.

Mr. CONYERS. Mr. Chairman, I yield myself 30 seconds, and I ask my distinguished colleague from South Carolina, who serves on the Committee on the Judiciary, has he considered the proposition of self-limiting terms of Members? I think he is an example of that.

Mr. INGLIS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from South Carolina.

Mr. INGLIS of South Carolina. Mr. Chairman, I think that term limits, it is wonderful if somebody will apply the limit to themselves, but we need universal limits, I believe, across the board.

Mr. CONYERS. Mr. Chairman, I have a growing list of people who are self-limiting their term, and I do not say the gentleman started this, but there are others that are doing it. We might want to consider this in the mix of proposals.

Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. WATT], a distinguished member of the Committee on the Judiciary.

Mr. WATT of North Carolina. Mr. Chairman, I thank the gentleman from Michigan [Mr. CONYERS] for yielding time for this purpose and appreciate the opportunity to debate this important issue.

I believe in support of democracy of the people, by the people and for the people.

Now we are going to hear some people on the other side who will probably say they are the ones that are in support of democracy of the people, by the people and for the people, but I think we can make the only evaluation of that.

I rise in opposition to this proposed amendment, and I plan to vote in opposition to all of the proposals that will come to the floor today. I think term limits, first of all, a bad idea, and I will run through quickly the reasons; a lot of those reasons have been mentioned here today.

I think term limits would have the effect of turning our democracy over to the experienced staff people who staff the committees. Those people do not answer to any electorate out there, but they are going to be here regardless of whether I leave or do not leave, and they end up setting the policy.

I think term limits significantly would alter the balance between the legislative and executive branch, and my colleague, the gentleman from Massachusetts [Mr. FRANK] has ably talked about that; so, I think it is a bad idea for that reason.

I think term limits would probably significantly reduce voter turnout, and I cannot prove this by any statistical study, but it just seems to me that we are already having trouble getting people to turn out to vote. Limit terms to 2 years or 4 years or 6 years; people have even less inducement to go out and vote because the person is going to be reelected for that period of time and they are going to be gone after that period of time, so why bother to go out and vote?

And contrary to the arguments that many of my supporters of this amendment will assert, I think term limits have the effect of increasing the influence of special interests because the minute one gets elected to serve in this body they stop looking for a position to land in after they are no longer here, whether it is the U.S. Senate or whether it is some corporate position. I think it has the effect of increasing the influence of special interests.

But those are my bad-idea reasons for being opposed to this amendment. I want to talk a little bit about the constitutional aspects of this because I agree with the chairman of our committee, the gentleman from Illinois [Mr. HYDE], who said that this proposal is not a conservative idea, it is a reactionary idea, and I said that over and over again because many of my colleagues have heard me say on the floor that I actually think I am the most

conservative Member of this body. I am the one who comes to the floor consistently and fights for the Constitution of the United States as it is currently written, and as my conservative colleagues, who are always claiming to be conservative, who keep running these constitutional amendments at us: the term limits amendment, the balanced budget amendment, the line item veto amendment, the school prayer amendment—this amendment, that amendment—an unprecedented number of proposed amendments to the Constitution of the United States were offered in the last quote unquote conservative term of Congress by my conservative colleagues, this one perhaps is the most arrogant one of them.

There is the sense of arrogance that goes with the notion, I think, on the part of my colleagues that they can do a better job of writing the Constitution than the Founding Fathers of this country did. They are smarter than Madison and the people who were writing the Constitution back at that time, even though this Constitution has survived all of these years and has worked so well for our democracy. The arrogance of these people is particularly evident in this proposed amendment, because we have got all kinds of different variations of it. We have got nine different proposals that we are going to vote on today to amend the Constitution.

We got one that would give us 2-year terms and the senators two 6-year terms, the so-called Arkansas version. We have got one that they call the Colorado version. We have got one that they call the Idaho version. We got one they call the Missouri version. We have got a Nebraska version, a Nevada version, a South Dakota version, and all of these people are coming in here saying, I am the conservative. We even got a group out there, so-called term limits—what is that group, U.S. Term Limits—who is saying, ''If you put any version of this bill on the ballot other than the version that I support, then we are going to write you up, and you are required to put something on the ballot to say you did not support my version of the term limits.''

That is arrogance. That is arrogance on the part of my colleagues who say, oh, no, I am conservative. If they got some conservative philosophy, at least it ought to be consistent. There ought not be 9 different versions of conservatism, each one of which is parading itself in this body as being the conservative version. That is arrogance, my colleagues.

Finally, let me caution us against this idea that we ought to be writing a Constitution based on polling information. Let me caution us against that. For those of my colleagues who follow this body, they will remember that I was the person who came to the floor last term of Congress on a crime bill and offered the specific language of the fourth amendment as an amendment to the bill because my colleagues kept arguing to me no, we are not altering the fourth amendment to the Constitution by doing this, we are not doing anything.

Well, I say what is wrong with the language of the fourth amendment? Why not support that? And it was my colleagues here who overwhelmingly voted down the specific provisions of the fourth amendment.

In the context of preparing to offer that amendment, I did a little looking around, and I found that if we polled the American people, a substantial majority of them would say: I do not support the 1st amendment, the 2d amendment, the 3d amendment, the 4th amendment, the 14th amendment, and on and on and on. The Constitution was written as the framework for democracy to withstand the kinds of attacks that evidenced themselves in popular polls.

And in the testimony before our committee, in the testimony before the Committee on the Judiciary, I was just flabbergasted to hear an intellectual conservative come before our body, and I am not supposed to name names so I am not going to call the name, and say I support term limits because this provision is not relevant to today's society. And I say, well now. Is the first amendment relevant to today's society? Our debate has gotten shrill, our debate has gotten very partisan and mean-spirited in many cases. Does that mean we ought to rewrite the first amendment to the Constitution also? I guess not relevant to today's society.

What about the fourth amendment to the Constitution? There is a lot of crime out there on the streets. Does that mean we ought to turn over to the Government and the police the authority to kick in our doors, and search our homes, and tap our phones, in an unlimited way? Maybe the fourth amendment is not relevant to today's society.

My colleagues, this framework was based on democracy and government of the people, by the people and for the people. It is the people who vote every 2 years to send us back here or not send us back here. And the notion that we ought to say to them, ''Oh no, we have got to distance ourselves from you, we do not want you to have this kind of influence in our system;'' my colleagues, it is dangerous and counter-democratic.

I encourage my colleagues to support the principle of democracy and representative government that says it is the people who control our democracy, allow the people to continue to speak. Do not restrict them. Please do not restricted them.

□ 1230

Mr. GEKAS. Mr. Chairman, will the gentleman yield?

Mr. WATT of North Carolina. I yield to the gentleman from Pennsylvania.

Mr. GEKAS. Mr. Chairman, I was just wondering, in listening to the gentleman about the right of the people to determine what may or may not go into the Constitution, how did the gentleman feel, although he was not a Member of Congress at the time, nor was I——

Mr. WATT of North Carolina. Mr. Chairman, I suspect the gentleman is getting ready to ask me about some amendment.

Mr. GEKAS. If I could just inquire, how did the gentleman feel about the limitation of the term of presidency to two terms?

Mr. WATT of North Carolina. Mr. Chairman, reclaiming my time, we are not debating that. I was not here then. I probably would have voted against it if I had been here because I would have thought that it was a significant alteration. But that is not what we are here to talk about today. I did not go back and vote then. I was not even a Member of Congress then.

Mr. GEKAS. Mr. Chairman, if the gentleman would yield further, in that case, like in any constitutional amendment, we do defer to the right of the people to make that final judgment by the State legislatures that have to adopt the amendment.

Mr. WATT of North Carolina. I am sure that is true, and I am sure that is true of this amendment too. That does not defeat the purpose for which I rise today, and I hope my colleague does not think it does.

I thank the gentleman for yielding me time, and I hope my colleagues will listen to their chairman of the Committee on the Judiciary, in this case Chairman HYDE.

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

Mr. ISTOOK. Mr. Chairman, I rise in support of the constitutional amendment for uniform national term limits: 12 years for a Member of the House, 12 years for a Member of the Senate.

The only way to establish term limit parity among all States is to pass the amendment. The one we are voting on creates uniform national term limits, placing no State at a disadvantage. I am committed to that prospect.

Some support a 6-year term limit for Members of the House, allowing Senators, however, to serve 12 years. They call it 3 terms versus 2, but it is 6 years and 12 years. That is lopsided. If Senators could serve twice as long in the Congress as Representatives could, it means more power for the Senate and less for the House. Is that what we want?

Senators only face the voters once every 6 years. Members of the House face the voters once every 2 years. Which one is more responsive to the voters?

We want uniform service by those who are most responsive, not placing them at a disadvantage by saying they can only serve twice as long.

Now, some who promote term limits in fact are promoting a shift of power. We believe in the principle of term limits. We have it on Presidents. We have it in State legislatures. We have it in

city governments. We have it on many governors. The proposition has already been established in this country. It is dominantly supported by the people. The real and proper question is to ask, what is the right way to go about it?

If the voters want to change a President, they can only do so every 4 years. If they wish to change a Senator, they can only do it once every 6 years. A Federal judge is there for a lifetime. A professional bureaucrat is there for who knows how long. A Member of the House serves every 2 years and is held accountable every 2 years. Why would we say we want them to be the weakest among all of the elected persons in Washington? It makes no sense. I support 12 and 12, uniform national term limits, and urge their adoption.

Mr. MCCOLLUM. Mr. Chairman, I yield 3 minutes to the gentleman from New Mexico [Mr. SCHIFF], a member of the committee.

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

Mr. Chairman, term limits is a policy issue. There is not one single right answer or wrong answer as to whether term limits should be adopted or not. It is a question of what policy do we wish for the Congress of the United States.

There are a number of reasons in favor of passing term limits, and I believe that they have been and will continue to be adequately presented here. There are a number of reasons to oppose term limits, which again I think have been very well voiced here today and will continue to be.

I am going to support the term limits amendment for this reason: I believe that we here in the Congress who are most affected by this decision should share this decision with the people of the United States through their legislatures. In other words, I can think of no reason why we should withhold this policy decision within the Congress. I believe that we should share it with the State legislatures by voting in favor of a constitutional amendment.

The State legislatures then can adopt this amendment or not adopt this amendment, but that will be the final decision. The final decision is not made in the House of Representatives or in the other body, in the U.S. Congress.

I have to say, however, I feel very strongly that if we are going to propose a constitutional amendment, we propose it on an equal basis for a number of years, whatever that number of years is, between the House and the other body. There is absolutely no real reason why the number of years that is a maximum cap on service should be different between the two Houses of Congress. That would serve to make only one House essentially more powerful than the other House, which is contrary to the intentions of the Framers of the Constitution, I believe. So I will vote against those amendments which propose to offer different maximums between the two Houses.

I will, however, vote in favor of an amendment offered by the gentleman from Virginia [Mr. SCOTT] which says the States may choose to do that if they want to for the delegations within their State. I will vote for the amendment that says States may set a lesser amount of time within that State's delegation. Therefore, if they want to set, for example, less time for the House than the Senate, they can do so. I think it is a bad idea, myself, but I think the States should have that authority.

Finally, I intend to support the Dingell-Barton amendment that will be offered that says that the idea of term limits, the maximum time to be considered for term limits, is considered retroactively. In other words, it will apply to all of us in this Chamber today. If term limits is in fact a good enough idea that we support it or that we invite the States to support it, then it is a good idea to start immediately and not to start on some day in the future.

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

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

Mr. Chairman, I intend to support the gentleman from Florida [Mr. MCCOLLUM] and his bill, because it is uniform: 12 years for the House, 12 years for the Senate. I would like to give my colleagues my views of some of the things that have been mentioned.

Bureaucrats and term limits: The argument is if we rotate people through this body too quickly, we empower the bureaucratic side of government. My limited experience of 2 years tells me that the most cozy relationship in the world in Washington is senior bureaucrats with senior people in Congress serving on committees, because one knows how to take care of the other, and the biggest fear most bureaucrats have is new people asking new questions. So I do not buy that one bit.

What do the people think? I would challenge my colleagues to go out and ask people on the street, and they will find out that 70 percent of them support term limits in some fashion, but if we had a national referendum there would be no doubt in my mind that there would be overwhelming public support for term limits on this body. That does not mean the people who occupy the jobs are evil, it just means people paying the taxes want change in their government.

What would that change be? It would fundamentally change the way we view our job in Congress. The issues of the day, like Social Security, Medicare, they are complicated but they are not beyond the grasp of everyday people to understand.

I know why Social Security has a problem. We are borrowing money from the Social Security trust fund and spending it to run the Government and we need to stop it. I know why Medicare has grown 22 percent since 1980. It did not take me a career to figure that out. I am willing to do something about it, and I have not planned my life around staying up here. I want to do a good job while I am here, and I want to go home and be part of my community.

I think term limits would change the Government for the better, undoubtedly so, and 70 percent of the public, if had a chance to vote on it, I think would agree with me and disagree with the opponents.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I would inquire of the gentleman if he has heard about the concept of self-limitation of terms that Members are beginning to impose upon themselves?

Mr. GRAHAM. Mr. Chairman, if I may respond, yes. And I have limited myself to 12 years because I think that is a reasonable period of time, sir.

Mr. CONYERS. I thank the gentleman.

Mr. MCCOLLUM. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. HULSHOF].

Mr. HULSHOF. Mr. Chairman, I have here in my hand a copy of the Constitution, about which there has been much debate here today. I believe that the Founders created this document which outlined the principles by which we have been governed and continue to be governed, but they also provided, through article V, a means by which we can add to this document.

That is why we are here today, to determine whether, under article V, Congress shall deem it necessary to enact term limits, and I am in favor of a constitutional amendment subject to ratification by the States.

We are a government of the people, not a government of a select few. Our Founders fled the shores of England to come to this great country to escape a tyrannical leader and a government of elitists.

The fact is, Mr. Chairman, I am a newly elected Member here, and there has been some discussion about the word ''arrogance.'' Let me give my colleagues an example of arrogance.

During the waning weeks of the 1996 campaign, the former Congressman from my district, a 10-term incumbent career politician, exhorted the voters in my district to repudiate my candidacy with the words, ''a freshman cannot accomplish anything in Congress''. That arrogant attitude with which that statement was uttered is somewhat the same self-important attitude that is the subject of this debate and drives some in the opposition. They say we cannot trivialize the Constitution, as I have heard mentioned.

Mr. Chairman, this is a living document, and it is time for us to enact the will of the people. Let the one among us who believes himself to be irreplaceable in this Chamber, let him cast the

first vote ''no.'' But as for me, Mr. Chairman, I intend to enact the will of the people.

Mr. CONYERS. Mr. Chairman, I yield myself 1 minute and 15 seconds to inquire of my new freshman colleague, the gentleman from Missouri [Mr. HULSHOF], whose statement we welcome and whose presence we welcome to the Congress. Some arrogant career politicians said a freshman cannot accomplish anything in Congress. I presume that the gentleman has something to accomplish in this noble body, correct?

Mr. HULSHOF. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Missouri.

Mr. HULSHOF. Mr. Chairman, it will be incumbent upon me in the next couple of months to prove that declaration to be false, yes.

Mr. CONYERS. Reclaiming my time, Mr. Chairman, the people in Missouri believe the gentleman, that he can do it, and we will be watching and waiting.

Now, does the gentleman plan to impose self limits on his term of office? How does the gentleman look at this, regardless of what the body does here today?

Mr. HULSHOF. Mr. Chairman, I have pledged to the people back home in the 9th Congressional District that I do not intend to make a career out of politics.

Mr. CONYERS. Well, wait a minute. That is wonderful, but does the gentleman plan to limit the number of terms he intends to serve?

Mr. HULSHOF. Mr. Chairman, I have made that statement public, yes.

Mr. CONYERS. Mr. Chairman, can the gentleman divulge to us, just between us, how many he plans to serve?

Mr. HULSHOF. Absolutely, I would be happy to. Of course that is dependent upon the good people of my district, but when I ran for this seat back in 1994 unsuccessfully, and again here in this last election, 12 and 12 as proposed by the gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Chairman, I yield 2 minutes and 15 seconds to the gentlewoman from New Jersey [Mrs. ROUKEMA].

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

Mrs. ROUKEMA. Mr. Chairman, our Constitution is a document that has stood the test of time for over 2 centuries, and I think every person in this Chamber should admit that the Founding Fathers got it right and vote down these term-limit amendments.

The Founding Fathers established term limits when they wrote the Constitution. They are called elections, to quote my friend and the chairman of the House Committee on the Judiciary, Mr. HYDE. Yet here we are today engaged in this debate primarily because the majority of the American people, fueled by radio talk shows and pollsters, support limits. I believe their concerns are right, but their answer and their solution is wrong.

We do need congressional turnover and fresh ideas, but we need those ideas to be combined with the balance of experience and expertise.

Mr. Chairman, there is a learning curve for every job and the same is true for Members of Congress. To impose automatic term limits would greatly increase, and I think this is very important, greatly increase the power of paid congressional staff, lobbyists, government bureaucrats, and I might add all of those other elected government regulators. The general public does not understand that. If they did, they would recognize how ill-advised these automatic term limits really are.

□ 1245

I do not have time to go into the revolving door syndrome, where Members would spend their time making sure they had a good, soft job with the special interest groups they were working with when they were in Congress. After all, you have to have a job after you leave. I will not go into that.

But I do say that the widespread public concern should now be directed to campaign financing reform. I think what we need is the level playing field between Members and challengers, so the challengers can have the means whereby they can get their message out to the voters.

The answer is genuine campaign financing reform. We have that legislation before us, from Senators MCCAIN, FEINGOLD, the gentleman from Connecticut [Mr. SHAYS] the gentleman from Massachusetts [Mr. MEEHAN] and myself. It is a bipartisan effort.

Mr. Chairman, we do need reform, but term limits are not the solution. I say term limits, no; genuine campaign financing reform, yes.

Mr. MCCOLLUM. Mr. Chairman, I yield 1 minute and 30 seconds to the gentleman from Utah [Mr. COOK].

Mr. COOK. Mr. Chairman, for years I have worked to make term limitation a reality. I launched and led the term-limitation initiative drive in the State of Utah, because the people of the State of Utah, indeed the people of America, want term limits. I did not believe that we could get it through the legislature. I was very skeptical that we could get it through the Congress of the United States.

Quite honestly, I think with respect to this issue, the arrogance is reserved for those who absolutely insist they know better than the people, and refuse to listen to the will of the people. I am supporting the McCollum 12-year amendment, because I think that amendment is one that balances the importance of having experienced Members, but it stops where we run into the risk of having career politicians.

Mr. Chairman, I think George Washington set the example. When there was obvious near-unanimous consent for him to approach a third term, he stepped down because, he said, people needed that opportunity.

Finally, I think we just simply have to realize as we work on legislation, as we propose it, and as we vote on it each day, that we need to feel that we have to go back and live under the laws that we helped create. I am strongly in support of the 12-year-term limitation amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Chairman, term limits is an idea whose time has come and gone. It is a feel-good constitutional amendment that does not belong in that cherished document. Term limits is a simplistic solution to the complex challenge of making our Federal Government work more effectively. It is a bad idea, an idea that limits the rights of citizens to vote for or against whomever they choose.

We all know this issue is going to be defeated today, so would it not be better if we moved on to the issues that truly affect the daily lives of average working families in America, issues such as balancing the budget and welfare reform and crime and education for their children, health care?

How absurd and how dangerous it would be to have the Committee on National Security, which oversees a $250 billion annual budget and literally makes life and death decisions over the lives of young men and women in uniform serving this country, to have that committee arbitrarily chaired by someone who might have been in this House only 4 years. It just simply does not make sense, and it would not be right for our military personnel or for the future of this country.

Mr. Chairman, the passage of an arbitrary term-limits amendment would create a Washington Mardi Gras for District of Columbia lobbyists, staff, and bureaucrats, people over whom average Americans have little or no control. The fact is, Americans are exercising the concept of term limits envisioned by our Founding Fathers. It is called voting. It is called an election.

The fact is that over 60 percent of House Members in this body have been elected since 1990. Mr. Chairman, I respect those who genuinely believe in term limits, but I hope the national media or someone might create a ''hall of hypocrisy'' for those who believe it should be a crime to serve in this Congress for more than 6 or 12 years but they continue to serve here 7 or 13 or 20 or 30 years. If someone truly believes it is morally wrong to serve here more than 6 or 12 years, then they should exercise the courage of their convictions and not serve one day longer than the term limit they vote for today.

The fundamental question before us, Mr. Chairman, is whether in our democracy we should put trust in the citizen's right to vote. I choose to trust the people of this great country, and

not some arbitrary feel-good, press-release, sound-bite constitutional amendment that will do damage to the rights of the American citizens.

Mr. CANADY of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. BEREUTER].

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

Mr. BEREUTER. Mr. Chairman, I want to thank the gentleman from Pennsylvania [Mr. GEKAS], a member of the committee, for his courtesy in yielding to me first. I am about to go lead the House welcome for the Speaker of the Polish Parliament.

Several years ago, my State twice passed term limits by large margins, only to have those actions invalidated by the courts. But the first legislative day after the voters of my home State expressed their support for term limits, I cosponsored legislation to institute a 12-and-12 constitutional amendment to limit terms of service for the two houses of Congress. I think it is a close call whether or not it is in the national interest and necessary to institute term limits. Nevertheless, I bowed to the views of my constituents and the people of my State.

However, it is very clear to this Member that I could support a constitutional term limitation only if such limitations were in the form of an amendment to the Constitution so that the congressional delegations of all States would be equally affected, and if such limitations were reasonable in length and identical for both the House and Senate.

The organization that is referred to as U.S. Term Limits has, with extraordinary funding, largely out-of-State funding, and paid circulators who frequently misinform voters, pushed their ridiculous legislation to require only a 6-year term limit for Members of the House of Representatives, while providing for a 12-year limit on the Senate.

This Member simply cannot in good conscience support such a 6-year term limit, as it is clearly contrary to the national interest. I might have a scarlet letter next to my name on the ballot next year. So be it. I am not going to vote against the national interest. I have never knowingly done it, and I am not going to start at this time. Despite such political threats as the proposed notation on the ballot, this Member will not do something that is damaging to the national interest.

First, 6 years is a totally inadequate length of time for citizens elected to the House of Representatives to gain the maximum expertise in the legislative process in the House, and to gain sufficient experience to be more likely to consistently make informed decisions that our Founding Fathers expected from the House of Representatives.

While over the years people have served in the House of Representatives for less than 6 years, it is foolhardy to expect the House to adequately perform its duties in this modern age when all representatives are limited to a maximum term limit of 6 years. Such an arrangement simply denies the country the crucial experience, good judgment, and informed action that our Nation and its citizens deserve. The House is now confronted by far more complex issues than in the early years of the Republic, and a 6-year term limit flies in the face of that increasingly complex agenda.

Second, providing a 6-year term limit for the House and a 12-year term limit for the Senate disturbs the delicate balance of power between the House and Senate, as established by our U.S. Constitution. The implications of this imbalance would probably only become apparent over a period of years, but it clearly will lead to an ever more serious erosion of power in the House of Representatives vis-a-vis the Senate. This Member has yet to hear one good argument for setting different limits on total years of service in the House and Senate.

When one tampers with this delicate system, one shatters not only the balance of power between the House and Senate, but also the balance of power between the legislative, executive, and judicial branches of our Federal Government.

Finally, Mr. Chairman, a 6-year term limit, by reducing the experience and influence of elected Members of the House, will dramatically increase the power of nonelected congressional staff over the legislative process, not to mention special interests. While this Member would be the first to agree that the power of the nonelected congressional staff is already an issue of concern, the 6-year term limit on the House will only compound that problem.

Mr. Chairman, I urge the Members to consider voting for only one approach, if any. That is the McCollum proposal for a 12-year limit on both houses of Congress.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. HASTINGS].

Mr. HASTINGS of Florida. Mr. Chairman, I thank the gentleman from Massachusetts for yielding time to me.

A gimmick, Mr. Chairman; this Chamber is using our precious time on a gimmick. While schoolhouses are falling down around this country and the homeless are going without shelter and the infirm are going without proper medical care, the House will spend its business today debating an amendment to the Constitution that would limit the people's choice to who shall represent them.

Do not just take my word for it, Mr. Chairman. We have the most imminent Americans over the past 220 years who have opposed plans such as the one we are debating today. Alexander Hamilton made it clear that the proponents of term limits were shortsighted thinkers. Term limits, Hamilton argued, could deprive the Nation of the experience and wisdom gained by an incumbent, perhaps just when that experience is needed most.

Mr. Chairman, it is worth noting that much of the greatest legislation of our Nation's history was introduced and passed by Congresspersons late in their tenure as Members of Congress. Term limits would have unseated Daniel Webster and Henry Clay 10 years before they forged the 1850 compromise. John Sherman introduced his landmark Antitrust Act in his 29th year in Congress. Paul Douglas introduced the Voting Rights Act in his 16th year in Congress, and the list goes on.

I will continue further to enlighten our colleagues about the detriments of term limits, but we have already spent too much time discussing this unnecessary and thoughtless amendment. I urge my colleagues to reject this amendment.

I close by quoting Robert Livingston, not our colleague, but a delegate to the New York State Convention to ratify the U.S. Constitution in 1788.

He said:

> The people are the best judges of who ought to represent them. To dictate and control them, to tell them whom they shall not elect, is to abridge their natural rights. This is an absurd species of ostracism—a mode of prescribing eminent merit, and banishing from stations of trust those who have filled them with the greatest faithfulness.

I suggest 60 percent has been the turnover. I say to the chairman of the subcommittee, the gentleman from Florida [Mr. MCCOLLUM] and the ranking member, the gentleman from Michigan [Mr. CONYERS], I want these Members to know that less than 5 percent of all of the legislation we have passed in the last 6 years has come from those 60 percent. I defy the chairman and the ranking member to tell the people of America, and I will go look up their records, how much legislation they passed in their first 6 years.

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

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

Mr. Chairman, during the last campaign I engaged in a series of debates with my opponent, and during the final one, a question from the audience was the very one we are debating here today: How do the two candidates, the incumbent and the challenger, feel about term limits?

Immediately, of course, the challenger indicated he was in favor of it. Surprisingly, the incumbent said that he supports term limits, and that the very fact that he was an incumbent and was in a campaign demonstrated that he was for term limits, because if the people of the district decided to do so, they could end the term of the incumbent; namely, me.

Then I went on to say that although I believe that already in the Constitution, by virtue of how we elect Members to the House and to the Senate,

there do appear unspoken term limits, nevertheless, I would vote for some version of term limits when I returned to the Congress if my term was not ended by the term limits of the 2-year campaign in which we were then engaged.

I did so, and I stated that assertion on the basis that I had conducted, myself, in my best informal way, a survey of my people to determine their overwhelming sentiment, which it turned out to be was in favor of term limits.

□ 1300

So I am caught in a dilemma. I say to them, you already have term limits and you can limit my term if you want to right now, but you indicate that you want term limits embedded in the Constitution or somehow brought into the law of the land.

So where are we? I have to allow my people back in the district to vote again on this issue, to have another voice. I will vote for the 12-year limitation.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. KLINK].

Mr. KLINK. Mr. Chairman, I thank the gentleman for yielding me. I just came from a telecommunications subcommittee hearing. We are taking up the whole idea of spectrum, which to a lot of you may not sound like much, but it is the frequencies upon which we broadcast all our radios and our televisions.

We are moving in this day and age toward a digital high-definition television which will enable everyone in this country to receive a movie quality picture at the same time they will have sound like you have never heard before. We had a great exhibition of that today.

My point in all of this is that this discussion to move toward this new industry, which will render 250 million television sets in this Nation completely obsolete probably sometime over the next decade, began back in the 1980's. And even though I had 24 years as a broadcaster before I came to this Congress, I had not dealt with the specifics of spectrum law. And so I am very dependent upon those Members who have served here, who have been through these debates so that they can help to guide me as to where we have been in this Nation and where we are headed.

Likewise in matters of defense, I had a Member tell me that when he was on the Committee on National Security, he is retired now, but when he was here in Congress and on the Committee on National Security, he said a general came up and talked about this very expensive weapons system and the need for this system. He said it sounded great. I was ready to vote for it, until a grizzled old veteran who had been here in Congress for 20 some years stood up and said, general, when you were here 10 years ago you were talking against that system. You wanted another system. What happened?

My point is that we need institutional memory and that memory must be the elected Members of Congress who are chosen by the people who live in their districts, not some phony baloney rewrite of the Constitution because we want to dictate to Members of a congressional district who they can and cannot send to represent them in this Congress.

I happen to live in a district in southwestern Pennsylvania where there were 150-some-thousand industrial workers displaced. They decided after 10 years that they wanted to vote out one Democrat and vote in another Democrat. The gentleman from Missouri was here a few moments ago. He spoke about the fact that he defeated a 10-term incumbent. That is amazing. The system works.

The bottom line is that the 102d Congress, this was the election held in 1990, saw 44 new congressional Representatives elected to this institution. That is a 10-percent turnover rate. The 103d Congress, the election held back in 1992, in which I came in, was one of the largest classes in the modern era; 110 new Members came in, 25-percent turnover rate. The 104th Congress, 1994, saw 86 new congressional Representatives and the very first time in 40 years the Republicans were in control of the House. The people of this Nation did that. That was a 20-percent turnover rate.

The 105th Congress, 1996, saw 74 new Members of Congress being elected. That is a 17-percent turnover rate. Term limits at the ballot box are working. We do not need this amendment. Overall, of the 435 Members in this Congress who are serving in the 105th Congress, 315 of us have served 10 years or less.

This is a waste of time. It is a fraud being perpetrated upon the American public. Member after Member gets up and says, well, the public wants this. When you constantly run and beat up this institution, the public does not have a good image of us. They do not undestand that we are people who have walked away in many instances from good law practices, my job in broadcasting to come here to serve. I cannot guarantee you that my wife and I would have agreed 6 years ago or 5 years ago to run such a campaign, to run a campaign for Congress if I knew that I could only be here for 6 years or 8 years or 10 years or 12 years, rather. I do not know how long I will be here. I do not know how long the people of the Fourth District of Pennsylvania will send me back here. But that is between me and them. It should be so between the other 434 Members of this House and the people of their district.

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

Mr. FOLEY. Mr. Chairman, I rise today in support of term limits for Congress. They are necessary to reestablish the citizen legislature, to better respond to the needs of citizens in our community, and to end what has become an arrogance of incumbency by some who have turned public service in this body into a lifetime occupation.

Being in Washington is not all it is cracked up to be, I can tell Members that. But it is vital that if Congress is going to serve the American people well, its Members not become stale and immune to the will of the people.

Term limits do not limit the ability to serve the public in all manner of ways. By serving here, we can ensure Washington mindset does not become the law of the land. Term limits will embolden Members to deal with the difficult long-term issues like reforms of Medicare, Social Security, rather than wield them for their political advantage. This behavior serves neither the interest nor benefit of our constituents.

Term limits, some contend, restrict the will of the public. The fact is, Americans across the country overwhelmingly support limiting the number of terms a Member of Congress can serve. Already 23 States have enacted such limits on their legislators. The people have spoken. We must pass term limits so that Members of Congress will no longer be tempted to protect their political careers at the expenses of their constituents, or the Nation's, best interest.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. BOEHLERT].

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

Mr. BOEHLERT. Mr. Chairman, I rise in strong opposition to term limits. Maybe I have spent too much time reviewing the thinking of James Madison and Thomas Jefferson but I find the arguments for term limits a bit hard to follow.

Term-limit proponents say they are trying to strengthen democracy. Yet in limiting the voters' choices, they are exhibiting a profound distrust of democracy. Term-limit proponents say they are populists who are trying to return power to the people. Yet term limits take away power from the people.

Term-limit proponents say they are trying to make the Congress more responsive. Yet by forcing Members into lame-duck status, term limits eliminate the greatest incentive to abide by the public's wishes.

Term-limit proponents say they are trying to limit the power of special interests. Yet by forcing Members to consider their next job rather than concentrating on their present one, term limits can only increase potential conflicts of interest.

Term-limit proponents say they are trying to make the Congress a more effective institution. Yet by robbing the Congress of institutional memory and experience, term limits weaken Congress and strengthen the role of less representative branches of Government.

Term-limit proponents say that the current system has failed us and has created an unchanging and unchangeable Congress. Yet more than half of the Members of the House, here serving today, were elected in 1992 or later.

The contradictions go on and on. Term limits are an attempt to solve a problem that does not exist. And they cannot conceivably accomplish what their proponents promise. That is why American leaders as far back as Madison and Jefferson have rejected term limits.

Let us show our faith in the Constitution, the American people, and the democratic process. Government should expand our options, not limit our choices. I say reject term limits. Support the choice of the American people.

Mr. CANADY of Florida. Mr. Chairman, may I inquire of the Chair concerning the amount of time remaining on each side?

The CHAIRMAN. The gentleman from Florida [Mr. CANADY] has 13½ minutes remaining, and the gentleman from Massachusetts [Mr. FRANK] has 5½ minutes remaining.

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

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

Mr. Chairman, I rise in opposition to this proposition. I am tempted to just follow the gentleman from Illinois, HENRY HYDE, and just say, me too, but I owe my constituents an explanation why I will not vote for a constitutional amendment to change the current limit of terms of service.

Yes, there already is a term limit written into the Constitution. Article I, section 2 states that the House of Representatives shall be composed of Members chosen every second year by the people of the several States. After that 2-year term, the Member is officially retired. If, and only if, that Member is selected again by his or her constituents can that Member return to this august body.

We all know the procedures and the process but it helps to be reminded from time to time. I appreciate the passion with which my Republican colleagues have fought for this amendment. They believe that carrerism has ruined this House. I think we took care of that and addressed it by limiting the terms of our Speaker and our chairmen. That is appropriate.

I agree that if Members of the House willfully ignore the wishes of the American people on issues that are important to the future of this Nation, they should be removed. But I submit that the system works. Sometimes slower than we like, sometimes messier than we would prefer, but the system works.

Look at the success of the 104th Congress. We showed that reform is possible, that change can happen, that the American people do have the ability to work their will. In the 105th Congress, we have 235 Members who have been here less than 3 terms. By my count that is a majority.

The system works to give us new blood, new ideas and new enthusiasm, but it also provides us with the wisdom honed by experience. When Members like HENRY HYDE and JOHN MURTHA and JERRY SOLOMON and LEE HAMILTON share their insights, we would be unwise not to listen.

Retiring Members of Congress for no other reason than an artificial time limit seems very shortsighted to me. In the final analysis, I believe we should have faith in the voters to do the right thing. Term limits takes the constitutional choice away from the voters and in my view we could do no more damage to the intent of our system of government.

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

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman for yielding me the time and for his fine work on this legislation. I rise in strong support of the term limits amendment to the U.S. Constitution offered by the gentleman from Florida [Mr. MCCOLLUM].

I have tremendous respect for the gentleman from Texas, the majority whip, but I would say to him and those who say that we do not need to do this because we can pass the internal reforms to accomplish this, yes, but how temporary in nature are they and how does that conflict with the very same argument that the opponents of a balanced budget amendment, that we are going to take up in this Chamber very soon, offer, that we do not need a balanced budget amendment. We can balance the budget anyway. Yes, we can and this Congress has shown the determination to do that, but how often has that occurred in the last several decades and how often has this Congress shown the determination to reform itself.

Term limits brings about those reforms. More importantly, it does other things, too. It makes this body more deliberative. If you know you only have a certain amount of time here before your time will be done, you are going to focus more clearly and more enthusiastically and more forcefully on getting the job done rather than the way things work in most Congresses, which is, we can always put it off until tomorrow or next month or next year or the next Congress. Term limits lets Members know, if you are here to get something done for your constituents, you have got to do it and got to do it promptly.

It alters the seniority system so badly needed to make sure that we do not elevate Members to positions of leadership and power in this Congress simply based upon how long they have been warming a seat but, rather, based upon merit and ability. And term limits, again, focuses us on that job as well.

Finally term limits creates a more level playing field for those Members who want to serve in this Congress by reducing the ultimate benefit that Members of Congress have, the benefit of incumbency in election.

I urge my colleagues to support the term limit amendment to the Constitution and let us show the American people that we truly do know how to reform this Congress.

Mr. CANADY of Florida. Mr. Chairman, I yield myself 1 minute.

Today we have heard many of the Founding Fathers names invoked. Earlier the name of George Washington was invoked.

□ 1315

Now, Washington is looking down on the Chamber from his portrait there, and I think it is appropriate that we consider the example of George Washington as we deliberate on the issue of term limits.

It was George Washington who established the example for the Presidency of term limits. It was George Washington who, two centuries ago next month, left office as the first President of the United States. Now, if there was ever anyone in the history of our country who could accurately be called the indispensable man, it was George Washington, but he himself recognized that no one in public office is indispensable.

I would suggest that the Members of this body reflect on the example of George Washington, the example which he has set for leaving office and for limiting terms.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume to say to my colleague from Florida that I join in saying we should follow the example of George Washington, who did not advocate term limits for Members of Congress.

Mr. Chairman, I yield the balance of my time to the gentlewoman from Michigan [Ms. KILPATRICK], for our concluding remarks.

The CHAIRMAN. The Chair recognizes the gentlewoman from Michigan [Ms. KILPATRICK] for 5½ minutes.

Ms. KILPATRICK. Mr. Chairman, I thank the distinguished gentleman from Massachusetts for yielding me this time and allowing me this opportunity.

Mr. Chairman, I wanted to join the chorus of many of my colleagues who stand opposed to this amendment. As has been said before I arose today, by many Members who came before this forum and to this microphone, term limits denigrate people, the people of this country. We give the people the ability to make those decisions, and as has been seen by several Congresses, and here recently in the last 2 or 3 years, the people do have the wisdom and the intelligence to make the correct choices in their elected Representatives.

I want to point out what might not have been said today, and that is that

the legislative body of the three branches of Government is the avenue that the people have. They cannot get in on the executive, be it through the President or their Governor and the President, in this instance, and his department heads; through the judiciary they have less of an opportunity to participate in the Government.

It is through the legislative body, to the House and the U.S. Senate, that the people can elect or not elect the Representatives of their choice and thereby let their voices be heard. So I think we do a horrible disadvantage and denigrate the responsibility and intelligence of the people of this country when we place a term limit for their elected officials.

Additionally, I think it does not reward the many Members who have served this institution, who have the institutional knowledge, and are able from that institutional knowledge and hard work to prepare, in a bipartisan way, the best public policy that our children need.

I believe the November 5 election states more profoundly than anything we have heard that the people want this Congress to govern. They want us to talk about a ''families first agenda'' in a bipartisan way. They want us to talk about good jobs. They want us to talk about opportunity for their children, security for our seniors.

I believe if this amendment is defeated it would be in the best interest of this country. I believe that we allow the people to determine who their Representatives are, and that they ask us to bring those issues that are most important to them. I contend, again, that those are jobs, they are education; it is environmental quality; it is opportunity for our children, security for our seniors.

As a first-termer, I am a little disheartened that we have not gone to those issues; that this is the first issue before the Congress. And I understand that the Speaker did make that promise and that it is here before us. But I think people want adequate education. I think children want opportunity. I think it is good jobs this 105th Congress must concern ourselves with.

This amendment that would limit the terms of the Members of the Congress, the Members of this Congress, is not a good one, and I would ask that my colleagues on both sides of the aisle put aside this redundant policy. We have heard it over and over again, and we did have a vote in the 104th Congress and it was defeated. I suspect today as we vote later on it will not receive the two-thirds majority as required by the Constitution.

We have serious work in this 105th Congress, and I hope that we would get about it in a bipartisan way. Therefore, I raise my voice and my vote with others who have spoken before me today to defeat this amendment and let us get to work in the 105th Congress.

Mr. CANADY of Florida. Mr. Chairman, may I inquire concerning the amount of time remaining on each side?

The CHAIRMAN. The gentleman from Florida [Mr. CANADY] has 8½ minutes remaining; the time of the gentleman from Massachusetts [Mr. FRANK] has expired.

Mr. CANADY of Florida. Mr. Chairman, I yield the balance of my time to the gentleman from Florida [Mr. MCCOLLUM].

The CHAIRMAN. The gentleman from Florida [Mr. MCCOLLUM] is recognized for 8½ minutes.

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

Mr. MCCOLLUM. Mr. Chairman, I certainly appreciate the opportunity to speak today on this amendment that I have authored, the underlying one, House Joint Resolution 2, to limit the terms of Members of the House and Senate to 12 years. It is an amendment proposal that garnered 227 votes in the last Congress, the first time in history we ever had a vote on the floor of the House on a constitutional amendment to limit terms.

It reached in that vote a majority, a clear distinct majority, 218 is a majority in this House, but it did not get the two-thirds required to pass a constitutional amendment, the 290; and it has yet to see the light of day in a vote in the Senate, where it will take 67 votes, another super majority.

In the last Congress it was, however, by far and away the constitutional amendment proposal for term limits that received the most votes, and I think will be clearly demonstrated today continues to have the most support and the best chance any time in the foreseeable future of receiving the 290 votes it takes to pass a constitutional amendment in this body and get it to the States for ratification.

I think there are two basic reasons why those of us who are for term limits, even if we dispute the number of years that there should be in those limits, why we are for the term limits. Two critical reasons.

The first is that I believe, and I think all of us do who support term limits, that it is time to end the careerism that exists and has existed in Congress for the last few years. By that I mean the tendency of too many of our Members to tend to vote for every interest group that comes along because they want to get reelected. The desire is overwhelming in many cases to be reelected again and again and again.

I think that syndicated columnist George Will said it best in his column that appears in the current issue of Newsweek magazine that is on the stands today, when he said:

> Term limits are a simple surgical Madisonian reform. By removing careerism, a relatively modern phenomenon as a motive for entering politics and for behavior in office, term limits can produce deliberative bodies disposed to think of the next generation rather than the next election.
>
> This is the argument favored by those who favor term limits not because of hostility toward Congress but as an affectionate measure to restore Congress to its rightful role as the branch of government.

It is true as well that there is a second reason. In fact, there are several smaller reasons why term limits are important, but the second one is pretty darned important. That is because we can have all of the rotation we want in the numbers of Members here, three-quarters of the body, somebody said, have turned over in the last couple of congressional elections, and we can still have the power vested in the hands of the few who do stay here and who are not term limited in any way. They are the committee chairmen, they are the powers in the leadership, they are the ones who control this place, and that is not right.

We need term limits for the same reason that we need to end careerism and special interest considerations when it comes to those few Members who do stay here.

Let there be no mistake, better than 90 percent of those who seek reelection to the House of Representatives year after year after year are reelected. No amount of campaign finance reform will take away the inherent powers, that incumbents have to have an advantage in seeking reelection to this institution.

There are those who will say why do I not leave, or why do not some of the others of us lead by example and just walk away? Well, I will tell my colleagues that voluntary efforts to lead the term limits movement will not succeed because there will continue to be Members in those States who choose, who do not have term limits, to stay here and have the power and be the chairman. And, unfortunately, until we have term limits, if someone walks away in 5 or 6 years or whatever, they never have a chance to be chairman of the key committees of this body or to exercise those things that the members of their district and their constituency sent them here to exercise in many instances.

That is not to say a freshman cannot be influential, that is not to say legislation cannot be passed, but it is to say as long as a seniority system of some sort exists, and it has historically in every legislative body and it will for the foreseeable future in this body, there will have to be a term limit in order to be able to be fair in that process and, I think, to restore the basic interest of this Government.

Now, let me say that in addition to this, I am particularly concerned about what we are voting on in the next couple of hours with respect to the type of term limits that are out here. I have proposed limiting the terms in the House and Senate in an equal uniform fashion, 12 years in the House, 12 years in the Senate, six 2-year terms in the House, two 6-year terms in the Senate.

The underlying premise of this is that the power of the two bodies should continue to be in balance. We do not want to see, and I do not think anybody should see the imbalance that

would result in a 6-year or an 8-year term in the House while we have 12 years in the Senate, in conference committees and elsewhere.

I also think if we are talking about 12 versus 6 that we are talking about the lack of experience that some of the critics of term limits themselves talk about. It seems to me fundamentally, from having been here and the experience I have observed, that one needs to be here for several years before they are ready for being the chairman of some of the major committees, not any subcommittee. The gentleman from Florida [Mr. CANADY], is chairman of a subcommittee now, just in his second term; I think may have been even in his first. But when we start talking about the longer overview of the Congress and the leadership, I think that being here longer than 6 years is very important to the running of this body. Twelve years is an appropriate, fair length of time to limit both bodies to.

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

Mr. MCCOLLUM. I yield to the gentleman from Massachusetts, just for a moment, yes.

Mr. FRANK of Massachusetts. Mr. Chairman, I do not mean to accuse the gentleman of inconsistency in not leaving, because he has articulated correctly that view of it, that we should not unilaterally disarm. But I would ask him this:

He and I came here together 17 years ago. He points to the problems of careerism and undue vulnerability to special interests if we are here too long. Has the gentleman himself succumbed to those problems? If not, what in his experience has allowed him to overcome them?

Because if these things hit us after we have been here for 12 years, have they hit the gentleman? If not, can the gentleman tell the rest of us how to avoid those problems?

Mr. MCCOLLUM. Mr. Chairman, reclaiming my time, I want to believe they have not hit me. It is possible they have. But I would say there are exceptions to every rule.

The gentleman from Massachusetts [Mr. FRANK] and the gentleman from Illinois [Mr. HYDE], are probably examples I would point to of people who have been here longer that may not have been hit with the afflictions I have described. But I believe the generic rule, the general order of things on average is that careerism does afflict all too many Members of Congress and it influences the vote, to vote for the interests that are required to get them reelected.

I would be remiss in not commenting on why we are here today voting on so many variations on term limits. It would be far preferable to vote on a couple and be done with it, but we are voting on these multiple numbers because there is an internecine warfare going on between some of us who support term limits, and that is not healthy.

Those of us who want to get to the end of this game and get the 290 votes necessary to send a constitutional amendment to the States should be behind the one proposal, and that is the 12-year proposal in the House and Senate, that has the chance of passage in this body, and work toward getting there either this Congress or the next.

But U.S. Term Limits in particular has developed a strategy of opposing and proposing these initiatives around the States that has been very misleading. They have gotten us to the point where there are several different variations, and they say that if we do not vote as a Member of Congress from one of those States for precisely their version of a 6-year limit, their version or none other, then we will get a scarlet letter by our name that will say in the next election, ''Disregarded or violated voter instruction on term limits.''

Therefore, there will be Members of this body today who will not vote for the 12-year or 12 in both bodies that I have proposed, and will only vote for that peculiar little niche that has been carved out by their States. If we keep on this path, we will wind up with initiatives in several more States, cannot be in all of them because all States do not have initiatives, and there will be multiple choices that are here for us to vote on where Members will be locked in and feel compelled to vote only for their peculiar State's initiative version, and we will never get to term limits. We will be gridlocked and the people opposed to term limits will prevail.

That is what amazes me about this organization called U.S. Term Limits and why they cannot see that they are on a suicidal mission of destruction of the term limits cause by their efforts in this regard. I continue to be amazed by it.

In Idaho alone, one of the States that has this initiative process, the text ran 2,286 words. That is four pages of single spaced typewritten face. All that appeared on the ballot was 207 words. The full text could only be acquired by special request from the Secretary of State. Most importantly, the clever wording on the ballot, that is, the short title, read only ''Initiative instructing candidates for State legislature and U.S. Congress to support congressional term limits. Requires statement indicating nonsupport on ballot.''

It is a very broad statement anybody would support, and 70 percent of the American people do. It said nothing about 6 years. If U.S. Term Limits were sincere in their drive for the 6-year limit, and it is their way or none, they say, why did they not declare up front in the title of the initiative that it requires support for only 6 years?

I urge ''no'' votes on all these amendments out here today. I urge my colleagues to vote not for some of these devious methods designed to defeat term limits, but to vote for the 12-year limit on both the House and Senate. That is the McCollum amendment. That is the underlying bill.

Mr. BUNNING. Mr. Chairman, I personally have mixed feeling about term limits. The high rate of congressional turnover in the past 10 years indicates that term limits are not really necessary. The votes have been doing a good job of limiting congressional careers the way it is. And I am concerned that term limits could reduce the congressional influence of small States like Kentucky.

However, there is such widespread public support for the idea that I am willing to let the people work their will on the issue through the ratification process at the State level. For that reason, I did cosponsor, House Joint Resolution 2, the term limits resolution which limits service in the U.S. Senate to two terms or 12 years and which limits service in the House of Representatives to six terms or 12 years. I do intend to vote for this version of term limits today and I urge my colleagues to join me in supporting this resolution because it is the fairest and most reasonable choice available to us.

Mr. Chairman, article 1, section 2 of our Constitution reads, ''The House of Representatives shall be composed of Members chosen by the People of the several States * * *''

When the Founding Fathers drafted the document that became the framework for our Nation they had in mind one of the key principals of democracy, the peoples right to choose.

I have listened to the debate on this issue, I have heard my colleagues decry, ''let's give government back to the people * * *'' and ''let's put an end to career politicians * * *'' Why don't we stop the rhetoric. If you want to give the Government back to the people we don't need term limits—we need campaign finance reform because democracy is its own best term limiter.

The Founding Fathers rejected the concept of term limits and that is why term limits were not included in the Constitution. Their intention was to let democracy take its natural course. I agree with them and reject the concept of term limits. If we want fresh ideas and if we want to return the Government to the people, let's stop all of the rhetoric and put an end to the special interest money that pours into political campaigns and level the playing field with real campaign finance reform. Then we won't need term limits because the democratic process will work as the Founding Fathers intended.

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

Since I was elected to Congress, I have been a leading advocate for congressional reform. I have supported scheduling reform, cuts to committees and staff, and simplifying the operations of the House. But we do not need term limits to make changes in Congress.

The last three elections clearly demonstrate the power of the ballot. Almost 80 percent of this body, including myself, was elected after 1990. Today, 190 Members are serving their first or second terms.

That is, 43 percent of the House has been elected since 1994. Why should we enact constitutionally imposed term limits when a near majority of this Chamber does not know what it was like to serve under democratic rule? Within my delegation alone, 7 of 10

Members—including myself—have been elected to represent Indiana in the 1990's.

Mr. Chairman, real term limits are at the ballot box, and that is where they should stay. The people are the best judge of who ought to represent them and they can be trusted to choose their representatives without government stepping in to arbitrarily regulate their choice. We should not block the prerogative of the American people.

It is unfortunate that term limits ignore the need for experience in Congress. Rather, they will ensure that unelected staff members will flourish in an environment where they are more seasoned than their employers—those who are directly and singularly accountable to their constituents.

Surely, we do not want to send the wrong message to our Nation's brightest and most qualified aspiring public servants who might be discouraged from serving their constituencies if firmly imposed term limits are in place. Certainly, we do not want to write this disincentive into our Constitution.

The future of this Nation depends on the integrity and caliber of the men and women leading it. Important and substantive areas of legislation rely on individuals with the wisdom and judgment that comes only from experience. We cannot afford to disqualify those who are fit to handle the increasingly demanding tasks of elected office.

Mr. Chairman, the Founding Fathers used the same arguments against term limits during the Constitutional Convention. In Federalist Paper No. 53, James Madison wrote that a few Members of Congress will possess superior talents and will become masters of public business. The greater the proportion of new Members, Madison wrote, ''the more apt they will be to fall into the snares that may be laid for them.''

Similarly, Alexander Hamilton argued against the concept of delegate rotation in Federalist Paper No. 71, asserting that denying the citizen's right to choose their officials would ''deprive the new government of experienced officials and reduce the incentives for political accountability.''

Certainly, term limits are not an appropriate or effective solution to the problems facing our political system. They would undermine a cornerstone of our democracy—the right to vote. And for these reasons, I urge my colleagues to vote against the ensuing term limit proposals.

Mr. STOKES. Mr. Chairman, I rise in strong opposition to House Joint Resolution 2, the term limits constitutional amendment. We cannot and should not shirk our responsibility to act in the best interest of the American people by disrespecting the founding document of this Nation—the U.S. Constitution. This shortsighted legislation will not only fail to ensure better representation of the American people in Congress, but will cruelly snatch from all Americans their ability to express their will through the ballot box.

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

Mr. Speaker, the stated purpose of this legislation is to amend the U.S. Constitution by imposing a lifetime limit of six terms—12 years—of service and a lifetime limit on Senators of two terms—12 years—of service. The measure would be applied prospectively, with only elections and service occurring after the constitutional amendment's ratification.

While I agree that Congress should continue to make significant strides to enhance service to the people we represent, this proposed measure goes well beyond the legitimate objective of making the Government more representative. The power the American people have to select and elect Representatives to Congress has been granted exclusively to the people by the U.S. Constitution and should not be abridged.

Mr. Speaker, a term limits amendment to the U.S. Constitution is unnecessary. The fact is, term limits already exist. Under the current Constitution the people already have the right to limit the term of anyone they elect to public office. Every 2 years each Member of the House must run for re-election. He or she must then be judged by the voters who elected them. It is then that the voters will determine whether to end that Representative's term of office or permit them to continue to serve. The imposition of this arbitrary term of 12 years deprives voters of an elected official who has, in their opinion, served their best interests well.

Establishing an arbitrary 12-year length of service for Members of the House and Senate is contrary to the democratic principles upon which this Nation is based. So cherished by the American people is the right to vote and participate in our representative form of government that five historical constitutional amendments have been enacted by the Congress to ensure that all Americans have the right to select their Representatives in Congress. The 15th amendment, 1870, prohibited States from denying the right to vote on account of ''race, color, or previous condition of servitude;'' the 19th amendment, 1920, enfranchised women; the 24th amendment, 1964, banned poll taxes; the 26th amendment, 1971, directed States to allow qualified citizens who were age 18 or older to vote; and finally, the equal protection and due process clauses of the 14th amendment, 1868, came to be read as preventing States from enacting suffrage laws that conflict with fundamental principles of fairness, liberty, and self-government.

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

The great constitutional significance of the separation of powers cannot be questioned. In his famous *Myers* versus *United States,* 272 U.S. 52, 1926, dissent, Justice Louis D. Brandeis said:

> The doctrine of the separation of powers was adopted by the Convention of 1787, not to promote efficiency but to preclude the exercise of arbitrary power. The purpose was not to avoid friction, but, by means of the inevitable friction incident to the distribution of the governmental powers among three departments, to save the people from autocracy.

Mr. Speaker, I must also stress that the benefits of term limits are greatly exaggerated. Without any term limit constitutional amendment Congress receives regular transfusions of ''new blood.'' If we look beyond the re-election rates on a Congress-by-Congress basis, we see that over 60 percent of the current House Members were initially elected in 1990 or later. If term limits of 12 years in the House and Senate were in place, nearly half of the current Congress would have been ineligible to serve when the 105th Congress convened.

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

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

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

Mr. Speaker, this legislation is unsurpassed in its compromise of the people's right to representative government and the balance of powers in our Nation. With very little opportunity for open hearing in the 105th Congress, and with limited debate, this measure has been placed before us. A measure of this kind requires detailed analysis of the impact it may have on the American people, and the greatest pillars of the American Republic: The voting franchise and the separation of powers—but no such review has, or will, take place. In the current rush to force this bill through the House, the will of the American people and the Constitution I have sworn to uphold will certainly be compromised. I urge my colleagues to join with me and vote against this bill.

Mr. CONYERS. Mr. Chairman, it's with great disappointment that we start the 105th Congress with an ill-conceived amendment to the Constitution to limit congressional terms. Term limits does nothing to create more jobs, nothing to increase our standard of living, and nothing to clean up the campaign finance laws. If Republicans were really interested in

dealing with the advantages of incumbency, we would be voting on campaign finance reform, not term limits, as the very first measure we consider this Congress.

I don't believe the proponents are as eager to pass this measure as they would have us believe. Although many Members advocate term limits, they oppose applying the limits immediately to themselves. As Chairman HYDE has so eloquently, stated this is like ''the famous prayer of St. Augustine who said, 'Dear God, make me pure, but no now.'' When 94-year-old, 8-term Senator STROM THURMOND can claim to support term limits, you know we have a serious credibility gap on this issue within the Republican Party.

And while this may be a radical idea, I continue to have faith in the scheme of Government laid out in our Constitution when the Founding Fathers rejected term limits. Alexander Hamilton got it right when he wrote term limits ''would be a diminution of the inducements to good behavior * * * [and deprive] the community of the advantages of * * * experience gained in office.''

I also continue to have faith in the fundamental good judgment of the American voters, who already have the power to impose term limits. Congressmen must face the voters every 2 years and Senators every 6 years. Denying these voters the right to elect the person they think best represents their interests turns the very principal of democracy on its head.

I would also remind those who support term limits that the notion of a career Congress which they decry so vehemently is an absolute myth. Recent congressional turnover has been incredibly high, more than one-half of the current Members of the House were elected within the last 4 years.

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

House Joint Resolution 2 trivializes the Constitution and belittles those who would serve their country by belonging to this body. I urge the Members to oppose this short-sighted constitutional amendment.

I am attaching an article I have written recently describing my concern with term limits and other proposed amendments to the Constitution we are expected to vote on this Congress.

[From the Nation; Feb. 24, 1997]

MAKE NO AMENDS

(By John Conyers, Jr.)

The 105th Congress is expected to consider as many as seven separate constitutional amendments, including proposals to prohibit flag burning, provide for victims' rights, eliminate automatic birthright citizenship, balance the budget, require a supermajority vote to increase taxes, limit Congressional terms and permit school prayer.

Amending the Constitution is the most serious—and irreversible—action Congress can take. Before approving any constitutional revision, we should assure ourselves that the amendment is fully justified; will not have adverse, unintended consequences; is fully enforceable; and is consistent with our constitutional values. Unfortunately, the amendments being considered in this Congress are motivated more by partisan politics than by sound policy considerations.

Advocates of a flag desecration amendment cannot point to outbreak of disrespect for the flag warranting constitutional action. Studies indicate that in all of American history, from the adoption of the U.S. flag in 1777 through the Supreme Court's first flag desecration decision in 1989, there have been fewer than forty-five reported incidents of flag burning. By propounding a constitutional amendment under these circumstances, we succeed only in trivializing the Constitution.

Similarly, given that twenty-nine states have already amended their Constitutions to protect crime victims, there is no compelling justification for a federal victims' rights amendment. Although victims' rights groups argue that a constitutional remedy is necessary to overcome a supposed conflict between these state laws and a defendant's right to due process, to date no federal appellate court has found such inconsistency to exist.

Repealing the Fourteenth Amendment's birthright citizenship clause illustrates the problem of unintended consequences. Tying the citizenship status of children to their parents creates a permanent underclass of people having no national allegiance; those born in the United States would be unable to report legal abuses for fear of deportation. It's no wonder that in her last official speech as chairwoman of the Immigration Commission, the late Barbara Jordan declared, ''To deny birthright citizenship would derail [the] engine of American liberty.''

Constitutional amendments requiring a balanced budget and two-thirds majority to increase taxes threaten to create constitutional ''rights'' with no meaningful remedy. It's impossible to identify which branch of government, if any, would be empowered to enforce the amendments. The amendments' meaning is also opaque: Would they apply to bills reducing tax revenues in some years but increasing them in others? What's the meaning of the supermajority tax amendment's exception for ''de minimis'' tax increases?

The term limits amendment contradicts what is perhaps our most fundamental constitutional principle: majority rule. There is little difference between forcing citizens to vote for a particular candidate and denying them the ability to vote for that same person. Instead of giving us more responsive ''citizen legislators,'' term limits are more likely to result in a transfer of power from elected representatives to unelected Congressional staff, federal bureaucrats and corporate lobbyists.

Finally, the school prayer amendment directly undermines the First Amendment's establishment clause. Although the amendment purports to prevent states from compelling students to join in prayer, it wouldn't limit the authority of the schools or teachers themselves, who could begin every day with the delivery of a sectarian prayer before a captive audience of children. Any student gathering could become a competitive ground for students to organize and protest their religious views, irreparably blurring the separation of church and state.

Given these clear-cut policy problems, why is Congress contemplating the most far-reaching constitutional overhaul since the very first Congress approved the Bill of Rights? Proponents can only fall back on a series of polls indicating public support for these dubious propositions. But the polls inevitably fail to highlight the many difficulties inherent in the amendments.

For example, support for a balanced budget amendment drops precipitously when the public is informed it will jeopardize our commitment to Social Security. And flag burning and school prayer amendments are far less popular when voters realize they would result in a first-ever modification of the First Amendment. At a time when a majority of the public believes Newt Gingrich should step down as Speaker, polls would seem to be a thin reed to justify these radical constitutional changes.

Bumper-sticker politics aside, now is not the time to substitute poll-driven constitutional amendments for serious legislative deliberation. Nothing in any of the amendments being considered in this Congress would create a single job, prevent a single crime, educate a single child or clean up a single environmental waste site. The Constitution has provided us with the most enduring and successful democracy in history, and unless we're absolutely convinced of the need for change, we ought to give our current political system the benefit of the doubt.

Mr. YOUNG of Alaska. Mr. Speaker, due to a family emergency, I am forced to return home to Alaska. During my absence the House will again take up the important issue of term limits. On two occasions, Alaskan voters voiced and voted their support for term limits. In the November 1996 election, a majority of Alaskan voters passed a ballot initiative requiring Congress and the State legislature to support a very specific term limit measure.

In response to previous calls for term limits by Alaskans, I supported a term limits amendment to the Constitution when it came to the House floor in the 104th Congress. House Joint Resolution 73, offered by Congressman MCCOLLUM would have limited congressional term limits. I followed the wishes of my fellow Alaskans by supporting House Joint Resolution 73. I had planned to again follow the wishes of my constituents by supporting a term limits proposal this week. However, due to this family emergency, I will be at home in Alaska when this vote takes place.

Mr. GILMAN. Mr. Speaker, I rise today in opposition to any attempt to limit the terms of Members of Congress. Some of the most well-meaning; thoughtful, and patriotic individuals of our day are strongly in support of term limits, inside and outside of this body. We are reminded that some polls tell us a majority of our fellow citizens, at least in principle, support term limits.

Nevertheless, it is our responsibility, as guardians of the people's liberties, to oppose such undemocratic and self-destructive steps backward.

I believe that the concept of limiting the number of terms that elected officials may serve is against the spirit and intent of our form of Government. Our Founding Fathers debated the issue of including term limits in our original Constitution, but rejected the idea as undemocratic. It is just as undemocratic now as it was 210 years ago.

American history bears out the wisdom of that decision at our constitutional convention. Some of the giants during the formulative years of our Republic devoted their lives to public service because they were not encumbered by term limitations. Henry Clay, excepting those periods that he served in the cabinet, served in both Houses of Congress from

1810 until his death in 1852—a period of over 40 years. Daniel Webster, Thomas Hart Benton, and John Quincy Adams are just a few other great Americans whose greatest contributions would have been lost to all of us had they been forced to retire due to term limits.

Most people would agree that excluding women, blacks, Jews, or Catholics from the right to seek office would be unacceptable. Wouldn't disqualifying Americans from seeking office simply because they were previously elected equally discriminatory? Term limits also discriminate against citizens who wish to vote for whoever they choose.

Supporters of term limits contend that such an innovation would make elected officials less concerned about the wishes of the people. I believe that this would be highly undesirable and contrary to our form of government. The House of Representatives is supposed to be Representative—the people's house. Conversely, public officials would be far more likely to cater to special interests—and potential employers—if they did not have to worry about justifying their actions and votes to their constituency. Experience in office helps legislators to discern self-serving arguments of special interests as well as the validity of constituent concerns. Bureaucrats, the unelected arm of the government, would become even more powerful and arrogant, knowing full well that they would still be around after the limit of those elected to represent the people is passed.

It seems to me that those who argue in favor of term limits believe in the proposition that the American people are simply not smart enough to determine when an elected official has outlived his or her usefulness, or to determine when an official has ceased to be representative.

I strongly believe that this is not the case, as evidenced by the Members of Congress who were defeated, not just in last year's elections but in every election, in many cases by challengers who spent far less money than they. I continue to believe that, in the vast majority of cases, the people know perfectly well what is best for them and are fully competent to act accordingly.

Some contend that more outstanding candidates could be recruited if term limits were put into effect. I believe the opposite is true. I have been opposed in each and every election in which I was a candidate since I first entered public Life. However, what would be the point in opposing an incumbent if his or her terms were limited? It would be difficult to recruit outstanding candidates to run for limited terms, and why bother running against Democrats if you know their days are numbered? More likely, all incumbents would be unopposed until their limit is reached.

I believe that the issues brought up during the course of a campaign debate are an essential part of representative government and that limiting terms would discourage, rather than encourage, new people from participating in these campaigns. I also question how many outstanding persons would be willing to give up their career to run for public office if they are aware that their term in public life would be limited.

The need for term limits to bring new blood into public life is a bogus argument. In fact, less than 20 percent of today's Congress has been serving for more than 10 years, and less than 10 percent for more than 20. Would you invest in a company whose executive board had that great a turnover? wouldn't you consider that experience counts?

Over 40 years ago, a constitutional amendment was ratified which limited our President to 2 terms. many of the same arguments used in favor of term limitations today were used then to support limiting a President to two terms. It was contended that limiting terms would free our Presidents from political concerns and decrease the influence of special interest groups.

After 40 years of experience, can anyone honestly argue that President Eisenhower, President Reagan, or President Nixon performed better in their second term than in their first? Remember that it was in Reagan's second term that the Iran-Contra scandal took place, and it was in Nixon's second term that he was forced to resign under threat of impeachment. Incidentally, prior to his retirement, President Reagan stated that he had come to the conclusion that the 22d amendment was a mistake; not because he coveted a third term for himself, but because he had come to the conclusion that the people should have the right to choose whether or not to retire a President on election day.

Personally, I am gravely concerned that the day may come when our Nation is in the midst of a dire emergency and we may find ourselves forced to change Presidents at an inappropriate time. I believe that the 22d amendment to the Constitution, limiting Presidents to two terms, should be abolished.

With over half the electorate sitting at home on election day, I believe we should be more concerned about educating and encouraging the public to vote intelligently and putting into effect genuine election reform to encourage more qualified people to become involved in the political process, to participate in primary elections, and to make informed intelligent decisions on election day. Then we wouldn't need any artificial reforms like term limitations to do the job.

Today, we are being asked to turn back the clock on 210 years of progress. After 2 centuries of expanding the electorate and the rights of citizens, these amendments being proposed would restrict the rights of Americans to make free and open choices regarding their representatives, and which would absolve them of the responsibility of remaining alert and active.

Mr. Speaker, term limits are more than just a bad idea. They are a threat to our great system of a representative government. Let us reject these amendments and get on with the business of governing.

Mr. CRANE. Mr. Chairman, I rise in strong support of a constitutional amendment to establish congressional term limits. I have been a long-time advocate for term limits, in fact, long before the movement became popular. I would also like to mention a word of appreciation for perhaps the most effective voice for term limits in this Chamber, my friend from Florida, BILL MCCOLLUM. BILL has been a leader of the modern-day effort to limit terms of service for Members of Congress.

In 1985, I introduced my first proposed amendment to limit congressional service to 6 years in the House and 6 years in the Senate and I reintroduced that proposal biennially through the 104th Congress. I know that some other popular term limit proposals promote a 6-year limit, but I believe that it is important to maintain an equal number of years of service in both Houses of Congress, lest the other body gain an inordinate amount of power. However, during consideration of term limits in the last Congress, my version was not made in order by the Committee on Rules. Given that fact, and the number of proposals by members of the committee with jurisdiction, I decided not to reintroduce my term limits proposal this year.

The proliferation of term limit constitutional amendment proposals, combined with the many State initiatives, has certainly not made for a uniformly-applied term limits proposal. We can end the debate on the best way to enact term limits by marshaling all of our resources to pass a constitutional amendment.

I appreciate that honest men will have legitimate differences on this issue. Some of our colleagues oppose term limits. However, the lack of success of term limits is not the result of the battle with term limit opponents. Instead, the fratricidal battles among term limit supporters have prevented the success of the cause. Sadly, it has been the actions of one term limits group in particular, US Term Limits, which, through their stubborn and often irrational attacks on term limit supporters, have done significant harm to the movement. Indeed, given the fact that we could not gain a two-thirds majority in the last Congress, it made no sense for this group to vilify term limits supporters, when it was more important to gain more supporters.

While I have preferred the 6 and 6 proposal, I voted for many different versions of term limits last year. I believe that the goal should be to gain the necessary majority in support of some form of term limits whether it is the one I prefer or not. The consensus version may not be the favorite of all supporters, however, even a 12-year limit is obviously better than current law.

In closing, I urge my colleagues to support House Joint Resolution 2 so that the States may debate and ratify this proposed amendment.

The CHAIRMAN. All time for debate has expired.

Pursuant to the rule, the joint resolution is considered read for amendment under the 5-minute rule.

The text of House Joint Resolution 2 is as follows:

H.J. RES. 2

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

''ARTICLE—

''SECTION 1. No person who has been elected for a full term to the Senate two times shall

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

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

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

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

The CHAIRMAN. No amendments shall be in order except those specified in House Report 105-4, which shall be considered in the order specified, 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 read, shall be debatable for the time specified, equally divided and controlled by a proponent and an opponent, and shall not be subject to amendment. If more than one amendment is adopted, only the one receiving the greater number of affirmative votes shall be considered as finally adopted. In the case of a tie for the greater number of affirmative votes, only the last amendment to receive that number of affirmative votes shall be considered as finally adopted.

□ 1330

The Chairman of the Committee of the Whole may, one, postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and, two, reduce to 5 minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes.

The Chair would remind the Members that it is the intention of the Chair, should a rollcall be demanded and sustained, that the Chair will cluster the vote on these amendments. At the present time that cluster is three, three, and three.

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FRANK of Massachusetts. Mr. Chairman, I want to make sure I understood. So if rollcalls are requested on every one of these, and since the purpose of having them in there is so Members can be recorded, one assumes that there will be rollcalls, it is the Chair's intention to call the first set of rollcalls after the first three amendments?

The CHAIRMAN. That is the present intention, after the first three.

Mr. FRANK of Massachusetts. I thank the Chairman.

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 105–4.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. HUTCHINSON

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

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

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

Amendment in the nature of a substitute offered by Mr. HUTCHINSON:

Strike all after the resolving clause and insert the following: That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

''CONGRESSIONAL TERM LIMITS AMENDMENT

''SECTION A. No person shall serve in the office of United States Representative for more than three terms, but upon ratification of the Congressional Term Limits Amendment no person who has held the office of United States Representative or who then holds the office shall serve for more than two additional terms.

''SECTION B. No person shall serve in the office of United States Senator for more than two terms, but upon ratification of the Congressional Term Limits Amendment no person who has held the office of United States Senator or who then holds the office shall serve more than one additional term.

''SECTION C. This article shall have no time limit within which it must be ratified by the legislatures of three-fourths of the several states.''.

The CHAIRMAN. Pursuant to House Resolution 47, the gentleman from Arkansas [Mr. HUTCHINSON] and a Member opposed will each control 5 minutes.

Mr. FRANK of Massachusetts. Mr. Chairman, I would claim the time in opposition.

The CHAIRMAN. The gentleman from Massachusetts will control 5 minutes.

The Chair recognizes the gentleman from Arkansas [Mr. HUTCHINSON].

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

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

Mr. HUTCHINSON. Mr. Chairman, my State of Arkansas is one of the 9 States that adopted ballot initiatives dealing with term limits this past November. On November 5 of last year, the voters of Arkansas overwhelmingly approved a ballot initiative setting forth the exact text of a proposed constitutional amendment limiting Members of Congress to three 2-year terms, for a total of 6 years, and members of the Senate to two 6-year terms for a total of 12 years.

Under this initiative a Member of Congress from Arkansas is instructed to support the exact provisions spelled out in the initiative and to vote against any inconsistent proposal. During the Committee on the Judiciary markup of House Joint Resolution 2, I offered the exact language of the Arkansas ballot initiative. Unfortunately, the amendment that I offered did not receive a majority of votes. The voters of Arkansas have specifically detailed the constitutional amendment they want, and out of respect for the people of Arkansas I am offering this substitute amendment, and out of respect for them I will also vote against any version that does not comply with the Arkansas language.

Therefore, I will vote against the bill of the gentleman from Florida [Mr. MCCOLLUM], not because I am opposed to term limits but because this particular resolution does not comply with the term limit instructions approved by the voters and the people of Arkansas. I will also vote against the other versions offered on the floor today because they too violate the Arkansas language.

As a longtime supporter of the concept of term limits, it was my intent as a new Member of this body to support and vote for all term limit measures including 6-year, 8-year, and 12-year limits so as to maximize the prospects for meaningful term limits becoming law. However, I am instructed by the Arkansas law and will vote accordingly.

Mr. Chairman, I yield 30 seconds to the gentleman from Arkansas [Mr. DICKEY].

Mr. DICKEY. I thank the gentleman from Arkansas [Mr. HUTCHINSON] for yielding me the time.

Mr. Chairman, as long as I have been here, I have supported term limits. I have never once voted against term limits at any time.

Today I have to rise in support of the Hutchinson term limits substitute and tell my constituents and this body that I am going to vote against some of the term limits. The Hutchinson amendment is the exact language that passed as an amendment to the Arkansas State Constitution in the general election this past fall, and so I am duty bound to support this. I therefore urge my colleagues to vote in favor of the Hutchinson amendment.

Mr. HUTCHINSON. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina [Mr. Inglis], a longtime and ardent supporter of congressional term limits. The gentleman from South Carolina has worked tirelessly on this issue and deserves this body's appreciation for his efforts.

Mr. INGLIS of South Carolina. I thank the gentleman for yielding me the time, and I appreciate the opportunity to stand in support of this measure.

Mr. Chairman, I think the gentleman from Arkansas has a good bill that requires a limit of three 2-year terms and

really is the preferable approach. I will be taking a slightly different approach than what he just described, in that I will be voting for every term limit bill that is on the floor today because I think that if we are not successful in getting a three 2-year term limit, it is rational then to go forward and try to get the Tillie Fowler 8-year limit, and if we fail on that, then we should go forward to try to get the Bill McCollum 12-year limit in the House and 12-year limit in the Senate. That is the approach that I will be taking. But I should point out that most of the American people seem to believe that 6 years would be the preferable limit.

As you can see here, based on surveys of the American people, three terms, three 2-year terms, 6 years, is supported by 82 percent of the American people. Six terms, or 12 years, is supported by 14 percent of the American people. So the three 2-year term bills and the various ones that will be on the floor today I think are preferable.

However, I think it is very important to point out that the goal here is to get term limits. So if we do not vote for three 2-year terms, we should then vote for TILLIE FOWLER's bill that calls for four 2-year terms. And if we are not successful there, then we fall back to the next position, which is BILL MCCOLLUM's bill calling for six 2-year terms. It seems to me that the most rational approach is to attempt to get term limits and to move through the process to see which one can garner the most votes.

I certainly hope by the end of the day that we have risen above the 227 votes that we got last time and demonstrate momentum in this matter. If we have not, then I think there is a lesson for us in the term limit effort to try to figure out how to come together on this rather than splinter and thereby divide up our vote. I rise in support of Mr. HUTCHINSON's bill. I think it would be a very preferable approach, and I certainly hope that it passes.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a new experience for us. I have seen many rules in the 17 years I have, I blush to admit, served in this body, sinking no doubt deeper into the morass of special interestism with each passing year, but I have never before seen a rule where the governing principle was alphabetical order. We are being presented with amendments today, as one of the members of our staff said, it is the rollcall of the States. The order, if Members will look at it, you are getting it in alphabetical order. When the majority has to resort to alphabetical order to bring some structure to the chaos they have brought to the floor, I think that is an indication of some intellectual weakness.

I also have a proposal, I am tempted but probably prohibited by the germaneness rule to offer a recommittal motion, which says that there will be a test for the Members on the seven amendments issued by each State to see what the differences are. I have to say that asking people what are the real differences among the seven separate amendments is of such arcane proportions that it would probably be ruled inappropriate to put on the Scholastic Aptitude Test as too trivial. We are going to be taking the time of the House to vote on seven variants.

People talk about term limits as an antidote to incumbent protection. Here we have term limits as a form of incumbent protection. Every State's Members get to vote on their State's term limits so they make them feel better and they do not get the scarlet letter.

I think this is a problem which indicates the fundamental weakness at the core of this. Where you have a principle that rises to the level of constitutional relevance, you do not have to do it in alphabetical order. You do not have to bend over backwards so people will know the difference between you and Hester Prynne. You do not have to introduce into the House a degree of parliamentary flip-flops and hair splitting that is unbecoming.

But there is also a fundamental intellectual problem here for the supporters of term limits. Some are going to vote for 6 and not 12, some are going to vote for 12 and not 8, some are going to vote for 8 and not 6. I do have a parenthetical question, Mr. Chairman: Whatever happened to 10? We have 6 and we have 8 and we have 12. Apparently there is some numerological fettish on the majority side which makes 10 terra infirma because we get 6 and we get 8 and we get 12. I cannot find any logical principle to overlook 10.

But there is this dilemma. Members on the majority side who favor this and some on the minority side who favor it have invoked the referendum. What they have said is you must be for this because there is a referendum. But we have all these different referenda and if you live by the referendum, you die by the referendum. If in fact we are as a body to be governed by the referendum, then this fails, because there is no 38-State mandate. That is your problem.

There is also one other problem with the referendum that I want to address now, although I will have a chance to address it when variant plus-and-minus and up-and-down and when we get into the B's and the C's and the D's and the S's. The problem we have is this. What about the argument that while it is a democratic right to elect your Representatives, in some States the people have voted to do away with a democratic right?

I think the answer is very clear. My right as a citizen to go to the polls every 2, 4, and 6 years and have my vote counted is my right and it is not at the service of some majority that is willing to do less. Voters, and we have the paradox, as I said we had it in Algeria, we have had it elsewhere, where majorities may be prepared to vote away their rights. The majority has no right to vote to diminish the democratic ballot right of any individual. My right as a citizen and, more importantly, the people in my district and elsewhere who as citizens want the unrestricted freedom to vote for whoever they think is best every 2 years, no matter what, ought not to be constrained because the majority do not want to exercise that right. If you in the majority do not want to exercise your right, do not exercise it. But it is not democratic theory to empower a majority to vote to diminish the votes of a minority.

The right of the people every 2 years for the House, every 6 years for the Senate, to go to the polls and pick the individual that they wish to see elected ought to be unconstrained. I do have to say in closing, Mr. Chairman, that I am struck, and I appreciated my friend from Florida, who as I said is a man of remarkable consistency and has been for a 12-year term limit in each of the 17 years he has served here. Of course, he is not up to the gentleman from South Carolina in the other body who for 50 some odd years has been for a 12-year term limit, I gather, or maybe he is for a 6-year term limit. Maybe he is showing his fealty to the principle nine times over, because the Senator from South Carolina is now in his ninth 6-year term limit.

I think we ought to, Mr. Chairman, vote all these down so the right of the voters to untrammeled democracy remains unchallenged.

Mr. HUTCHINSON. Mr. Chairman, may I inquire concerning time remaining?

The CHAIRMAN. The gentleman from Arkansas [Mr. HUTCHINSON] has 30 seconds remaining, and the time of the gentleman from Massachusetts [Mr. FRANK] has expired.

Mr. HUTCHINSON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in response to the gentleman from Massachusetts, I believe that what the Arkansas voters have done is the essence of democracy. They have demonstrated themselves at the ballot box, they have indicated they want to instruct their congressional leaders in this regard, and my vote today and my actions today are not because of any supposed scarlet letter, but my actions are out of respect for the voters of Arkansas who have given these instructions, and for that reason I have offered this amendment and will cast my vote today.

Mr. CONYERS. Mr. Chairman, I rise in opposition to efforts to limit Representatives to a mere 6 years—or three terms—in office. The proposal, like all of the other State-inspired substitutes, would make it impossible to run this institution in an orderly and intelligent fashion.

If a 6-year limit had been law, none of the leaders selected by the Republican Party—not Majority Leader ARMEY, not Speaker GINGRICH, and indeed not a single Republican committee chair—would have been eligible for office, let alone to assume their leadership roles this Congress.

And if 6-year limits are such a good idea, why didn't the Republicans choose any committee chairs from among those Members serving in their first three terms? I think the answer is obvious—a 6-year term limit does not make sense. It would severely distort and disfigure the legislative process and recast our two-century-old Constitution so significantly that its authors would no longer recognize the first branch of Government. The jockeying for power that would occur in this place under a three-term cap would be unprecedented.

A six-year limit would create a Congress of lame ducks and lead to an even greater proliferation of wealthy candidates who could afford to abandon their business careers for a few years. And the few Members who were not independently wealthy would be forced to spend most of their time currying favor with special interests so that they could further their postcongressional career opportunities.

This proposal would severely limit the Members' opportunity to garner the experience needed to master the many important substantive areas of Federal legislation. Issues relating to civil rights, intellectual property, Federal procurement, communications, intelligence, labor, and income tax policy—to name a few—are all highly complex and sensitive. A 6-year term limit would significantly diminish the ability and incentives for Members to understand and positively influence legislation in these areas.

The Members would have no choice but to turn to career staffers and bureaucrats. The result would be a massive shift of power from elected officials to unelected legislative and executive branch staffers and lobbyists.

I urge the Members to reject this ill-considered proposal.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Arkansas [Mr. HUTCHINSON].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HUTCHINSON. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 47, further proceedings on the amendment in the nature of a substitute offered by the gentleman from Arkansas [Mr. HUTCHINSON] will be postponed.

The point of no quorum is considered withdrawn.

It is now in order to consider amendment No. 2 printed in House Report 105–4.

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FRANK of Massachusetts. Would it be in order for the Chair to explain the difference between amendment No. 1 and amendment No. 2?

The CHAIRMAN. That is not a proper parliamentary inquiry. The Chair does not interpret the substance of amendments and would advise the gentleman to listen to the debate.

□ 1345

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MCINNIS

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

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

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

Amendment in the nature of a substitute offered by Mr. MCINNIS:

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

''ARTICLE—

''SECTION 1: No person shall serve in the office of United States Representative for more than three terms, but upon ratification of this amendment no person who has held the office of United States Representative or who then holds the office shall serve for more than two additional terms.

''SECTION 2: No person shall serve in the office of United States Senator for more than two terms, but upon ratification of this amendment no person who has held the office of United States Senator or who then holds the office shall serve for more than one additional term.

''SECTION 3: This amendment shall have no time limit within which it must be ratified to become operative upon the ratification of the legislatures of three-fourths of the several States.''.

The CHAIRMAN. Pursuant to House Resolution 47 the gentleman from Colorado [Mr. MCINNIS] and a Member in opposition, the gentleman from Massachusetts [Mr. FRANK], will each control 5 minutes.

The Chair recognizes the gentleman from Colorado [Mr. MCINNIS]

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

Mr. Chairman, from the State of Colorado and in alphabetical order on November 5, 1996, the voters of Colorado approved a ballot initiative which signified their support for an exact, and I stress the word exact, that is in the constitutional amendment congressional term limit amendment; they wanted to see added to the State of Colorado's constitution and then in subsequent steps to the U.S. Constitution. Furthermore, voters, Colorado voters, stated unequivocally; that is, the voters, the majority of the voters that voted, that if a Member of Congress from Colorado failed to vote against any change; any change is the words used; addition or modification to the exact congressional term limit amendment, that the Secretary of State should determine that that Member of Congress had disregarded voters' instruction on term limit. Following Colorado voters' call to action, i.e., those voters who voted and those voters who voted in the majority, I am offering an amendment which mirrors the exact text of the Colorado congressional term limits amendment.

Mr. Chairman, I insert for the RECORD the language of the Colorado ballot initiative as well as a letter dated February 12, 1997, from the attorney general of the State of Colorado a paragraph of which in particular is pertinent which says:

Our opinion is that amendment No. 12, speaking of this particular amendment, does not allow our delegation, speaking of the Colorado delegation, to vote for minor modifications, nor does it allow for a, quote, substantial compliance, unquote. Section 1 of amendment 12 states that, quote, the exact language for addition to the U.S. Constitution follows, unquote. The terms, quote, exact language, unquote, are seldom used in constitutional or statutory drafting. They unambiguously require strict compliance.

So, with that, I submit both of these documents for the RECORD.

The documents referred to are as follows:

STATE OF COLORADO, DEPARTMENT OF LAW, OFFICE OF THE ATTORNEY GENERAL,

Denver, CO, February 12, 1997.

Re Colorado's ''Amendment 12,'' Colorado Voter Instructions on Term Limits.

Hon. DAN SCHAEFER,
Rayburn House Office Bldg.,
Washington, DC.
Hon. SCOTT MCINNIS,
Cannon House Office Bldg.,
Washington, DC.
Hon. BOB SCHAFFER,
Cannon House Office Bldg.,
Washington, DC.

DEAR CONGRESSMEN: I understand there has been some disagreement over the interpretation of Colo. Const. art. XVIII, §12 (''Amendment 12''), Colorado's voter instructions to state and federal legislators concerning a federal constitutional amendment on term limits. Specifically, the issue is whether our congressional delegation can vote for ''minor'' modifications to the ''Congressional Term Limits Amendment'' contained in section 1 of Amendment 12 and avoid the designation ''Disregarded Voter Instruction Term Limits.''

Our opinion is that Amendment 12 does not allow our delegation to vote for minor modifications, nor does it allow for ''substantial compliance.'' Section 1 of Amendment 12 states that ''[t]he exact language for addition to the United States Constitution follows. . . .'' The terms ''exact language'' are seldom used in constitutional or statutory drafting. They unambiguously require strict compliance.

In addition, Section 5(b) establishes the mechanism by which ''[n]on-compliance with voter instruction is demonstrated.'' Among other things, non-compliance occurs if a member of our delegation ''fails to vote against any change, addition or modification.'' Again, this language unambiguously requires strict compliance.

Lastly, Section 5(a) demonstrates that strict compliance is required by effectively creating a presumption that the ''Disregarded Voter Instruction Term Limits'' ''shall appear'' unless compliance is established by ''clear and convincing evidence.''

While Attorney General Norton and I are strong supporters of term limits, it is our opinion that Amendment 12 requires strict adherence and that substantial compliance is unacceptable.

If you have any other questions, please do not hesitate to call me.

Sincerely,

RICHARD A. WESTFALL,
Solicitor General.

STATE OF COLORADO, DEPARTMENT OF LAW, OFFICE OF THE ATTORNEY GENERAL,
Denver, CO, February 12, 1997.

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From: Gale Norton.
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Mr. Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, in the spirit of bipartisanship, I yield 1 minute to the gentleman from Florida [Mr. CANADY], the Chairman of the subcommittee.

Mr. CANADY of Florida. I thank the gentleman from Massachusetts for yielding this time to me.

There is one point I want to bring out about this amendment and all of the first eight amendments that we will be considering. That is that they have no time limit on the period for ratification. All of the first seven amendments provide explicitly that there is no time limit within which the States must ratify them.

Throughout this century there has been a practice of establishing a 7-year time limit for the ratification of amendments on the theory that there should be a contemporaneous approval of an amendment to the Constitution from the States, and something should as a general rule not be allowed to be proposed to the States and remain there accumulating States over the centuries.

Now I think that it would be a very bad precedent for this Congress to propose an amendment to the State for no time limits, and I would simply bring that to the Members' attention.

Mr. McINNIS. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from Colorado [Mr. BOB SCHAEFER], my colleague.

Mr. BOB SCHAFFER of Colorado. Mr. Chairman, Thomas Jefferson, who is quoted an awful lot today in describing his devotion to the will of the people, was fond of saying the voice of the people is the voice of God. Except in the late 1770's and early 1780's he was more eloquent and more romantic; he said: ''Vox Populi, Vox Dei.''

In Colorado the people have spoken clearly. In fact they spoke first and forcefully on the matter of term limits. Their proposal is before us now, embodied in the amendment that the gentleman from Colorado [Mr. MCINNIS] and I were instructed, by those same people, at the polls, to offer for your consideration today.

Mr. Chairman, I urge my colleagues' support for this proposal, and in doing so ask that they consider one more factor that has yet to be featured in today's debate.

By this vote, we impose nothing, no term limits, we impose nothing. Instead, we are considering whether to refer a measure back to our State legislatures for their consideration in 50 States, other elected officials who are perhaps more skilled than we are to define their relationship in their State with the Federal Government.

More than any other configuration, three terms in the House, two terms in the Senate, has been suggested by the States. That is something I think we ought to take firm note of here today, that, yes, it is correct, those who have said that there has been no clear mandate as to what the proper period of time ought to be more than any other configuration, three terms in the House, two terms in the Senate has been suggested by more States.

It is entirely appropriate for us to adopt this amendment, turn the question back over to the States, as we ought to and have been requested to do, and allow the States to decide what our terms ought to be here. Three terms in the House, two terms in the Senate is sufficient time to get the work done here in the U.S. Congress.

Mr. McINNIS. Mr. Chairman, I reserve the balance of my time. I only have one speaker remaining.

Mr. FRANK of Massachusetts. Mr. Chairman, I have the right to close, and I only have one speaker remaining.

The CHAIRMAN. The gentleman from Colorado is recognized for 1 minute.

Mr. McINNIS. Mr. Chairman, I just want to go over very briefly what this requires us to do in Colorado.

If we follow the requirement of the Colorado proposition, that amendment in Colorado, it requires that we vote on the exact language that the Colorado voters, the people that voted and those who voted in the majority required. That language includes in part a restriction that we cannot vote on any other type of language regarding term limits. So even if we have the ideal term limit bill sitting in front of us, and frankly I have been a strong supporter of national term limits, uniform term limits across the country for all States, not one State standing alone but all States, and I think we got some good propositions to vote for, but this specific language requires that I vote against that. The only vote that I can make in the affirmative today under the requirements of this provision as forwarded by U.S. Term Limits is a vote in favor of this amendment.

In regard to that and in due respect to the voters who voted, I will follow those instructions.

The CHAIRMAN. The time of the gentleman from Colorado [Mr. MCINNIS] has expired.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I was instructed by the second speaker who said the voice of the people is the voice of God. Well apparently God speaks with a different voice in Colorado, from Nebraska, from Nevada. Apparently we are not just amending the Constitution here, we are amending the Bible, and polytheism is now coming in. I mean if it is Vox Populi, Vox Dei, why do we have a different ''vox'' when you cross the river between Nebraska and Colorado? I must say so circumscribing it, and it is one thing to circumscribe the right of the people, but when you begin to circumscribe the jurisdiction of the Almighty, it seems to me there is an overreach.

Now, I do not want to think we are using the time of the House very well, so I looked at the differences. I mean, why one amendment not the other? Why do we have to do them? Well, there are some very important differences here.

One might think that it is unimportant that they are exactly the same substantively, they both have the same limits. But for instance in Arkansas it is section A, B and C, whereas in Colorado it is section 1, 2 and 3. Certainly the gentleman from Colorado would not want to betray the voice of God in Colorado by adopting the voice of God in Arkansas because apparently God says A, B, C in Arkansas and God says 1, 2, 3 in Colorado. Now, religious wars have been fought over less, so I understand the gentleman's scrupulosity of instruction.

There are also some other differences. For instance, in Arkansas the voice of God says of the congressional term limits amendment, but in Colorado, in a major theological difference—maybe we will get a new religion out of this or at least a new synagogue in my tradition—it does not say of the congressional term limits; it says of this amendment. And certainly we would not want to confuse the people that God meant of the amendment in the one place and the congressional term limits in another.

In another place he says four more than one additional term in Colorado, but he just says more than one additional term in Arkansas.

Now understand Members are coming before us, and they are saying I invoke the most powerful doctrines around democracy and the voice of God to say that I cannot vote for A, B, C because I am committed to vote for 1, 2, 3.

Never mind that 1, 2, 3 means exactly the same thing as A, B, C in most places.

Mr. Chairman, I have not previously talked about trivialization. I do not think this trivializes the Constitution. I think the fundamental principle restricts the Constitution in a nontrivial way. But when Members come here and say I am honor bound to vote for 1, 2, 3, and I ask my colleagues to join me in rejecting A, B, C, I think we have reached a level that is inappropriate for the House to be spending a lot of time on. And to make my contribution towards diminishing that, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The question is on the amendment in the nature of a substitute offered by the gentleman from Colorado [Mr. MCINNIS].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MCINNIS. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 47 further proceedings on the amendment offered by the gentleman from Colorado (Mr. MCINNIS) will be postponed.

The point of no quorum is considered withdrawn.

It is now in order to consider amendment No. 3 printed in House Report No. 105–4.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. CRAPO

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

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

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

Amendment in the nature of a substitute offered by Mr. CRAPO:

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

''ARTICLE—

''SECTION A. No person shall serve in the office of the United States Representative for more than three (3) terms, but upon ratification no person who has held the office of United States Representative or who then holds the office shall serve for more than two additional terms.

''SECTION B. No person shall serve in the office of the United States Senator for more than two (2) terms, but upon ratification, no person who has held the office of the United States Senator or who then holds the office shall serve for more than one additional term.

''SECTION C. This article shall have no time limit within which it must be ratified to become operative upon the ratification of the legislatures of three-fourths of the several States.''.

The CHAIRMAN. Pursuant to House Resolution 47, the gentleman from Idaho [Mr. CRAPO] and a Member in opposition will each control 5 minutes.

The Chair recognizes the gentleman from Idaho [Mr. CRAPO] for 5 minutes

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

Mr. Chairman, I appreciate the opportunity to stand with my colleague from Idaho [Mrs. CHENOWETH] to offer this amendment, which has been an amendment that is required by the vote of the people of Idaho in the last election.

This amendment is in the exact language as passed by the people of Idaho in the State initiative on the ballot in November of 1996. The amendment sets the terms for Members in the House of Representatives at three and Members in the Senate at two. These limits are not retroactive. The amendment does not require a constitutional convention, and it does not set a year limit for ratification.

In the past I have supported a different term limits measure, one which had a 12-year term limit for the House and a 12-year term limit for the Senate. However, the voting by the people of Idaho as passed this year has declared their will that we as their Representatives in Congress put forward this amendment and the gentlewoman from Idaho [Mrs. CHENOWETH] and I are doing as instructed by the law of the State of Idaho.

Last Congress I supported the McCollum term limits bill that, as I said, supported a 12-year term limit. However, in this Congress I must oppose this bill because of the initiative passed by the people of the State of Idaho which requires me to oppose any term limits measure that does not have the same set of term limit conditions that are included in the initiative that was passed in the State.

I am concerned that that might ultimately result in less votes for a term limit measure that may pass the House, and I am concerned and hopeful that the people of not only the State of Idaho but across the Nation will focus on the differences that may be present among us now because of different term limits measures and initiatives that are passed. Hopefully, this problem may not be something that will cause more difficulty for enacting term limits in this Congress.

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

Mr. FRANK of Massachusetts. Mr. Chairman, I claim the 5 minutes in opposition, and I have only one speaker, Mr. Chairman, because God has not spoken to us so we only have one. So I will reserve my right to close.

Mr. CRAPO. Mr. Chairman, I yield the balance of my time to the gentlewoman from Idaho [Mrs. CHENOWETH].

Mrs. CHENOWETH. Mr. Chairman, I would like to thank my colleague, the gentleman from Idaho [Mr. CRAPO] for yielding this time to me.

Mr. Chairman, term limits are what we need to give government back to the people. Limiting the service of Members of Congress will result in new people with better and more innovative ideas who have been out in the real world working hard and providing for their families. I believe so strongly in the value of citizen legislators over career politicians that I have imposed a three-term term limit on myself. And I mean it.

□ 1400

It is important to know that many of our Founding Fathers extolled the virtues of a limited Government service. In the Federalist Papers, James Madison wrote, ''It is essential to such a Government that it be derived from the great body of the society and not from an inconsiderable proportion or a favored class of it.''

I believe that the best way to achieve this goal of a citizen-led Government is to draw from the citizenry on a very regular basis, and the way to create more opportunities for citizen legislators is to discourage people from building careers out of public service.

When our Founding Fathers initiated our system of Government, they did not intend to create career politicians. A constitutional amendment for term limits will stop career politicians by restoring the power to the people of this great country. Thomas Jefferson said, ''We must chain the government and free the people,'' and I believe now, more than ever, that this must happen at this time.

Unbridled, personal political ambition ultimately enslaves the citizens of this country. The amendment that the gentleman from Idaho [Mr. CRAPO] and I are offering will put an end to career politicians by limiting Members of the House of Representatives to three terms, and if a Member is in House when this amendment is ratified, they are allowed to serve two more additional terms.

The amendment also limits Senators to two terms and allows Senators to serve only one more additional term if they hold office at the time of ratification. Finally, no time limit is placed upon when the amendment must be ratified.

Mr. Chairman, term limits for Members of Congress are what we need to bring in fresh, new ideas and to put an end to out-of-touch politicians, regardless of whether they are conservative or liberal, Democrat or Republican. The citizens of the State of Idaho and America have spoken, and they want term limits. Please let us respect their wishes today by passing a meaningful term limits constitutional amendment.

Mr. Chairman, I urge passage of this substitute.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I bring reassurance. As I said before, there was a therological difference in that the first amendment talked about A, B; no C, I correct myself; and this one is 1, 2, and

3. The people of the letters who fear that they had been abandoned by the Almighty for the doctrine of numbers can take heart, because the A, B, C variants have returned.

So the difference is the first amendment was A and B; the second one was 2 and 3; and the third one was A, B and C. Of such triviality I suppose our careers are construct.

Now, when we talk about careers, the gentleman from Idaho [Mr. CRAPO] has made a variant of the striking historical point that the Founding Fathers were great supporters of term limits, even though they rejected the concept. The notion that the Founding Fathers forgot to put term limits in the Constitution is rather more unkind than I think they deserve. They not only rejected term limits; they were, many of them, career politicians.

James Madison, whom the gentlewoman just cited, was one of the most distinguished career politicians in America, and I ask the gentlewoman to look up the career of James Madison, look up the career of James Monroe, look up the career of Benjamin Franklin, of Thomas Jefferson himself. Tammany Hall goes back, the Democratic Party goes back, Thomas Jefferson and James Madison go back to the leaders of Tammany. They were part of a political deal. They were people who were very political.

It was through John Adams, one of the most distinguished of them, who wrote a famous passage in which he said, I have to be a career politician. I hope we will have so solved the problems. He said, I studied politics in war, and he saw depression so that his great, great grandchildren could deal with painting and the fine arts. But he was a career politician, he acknowledged that, and he said he had to be a career politician because these were difficult times. He thought allowing people of the first rank to abandon a career in politics was a luxury to be left to later times when the Nation was more strongly developed.

Now, I think it is admirable to talk about the Founding Fathers, but it would be equally admirable to read what they said and read about them. Anyone who reads about Benjamin Franklin and Thomas Jefferson, et cetera, and does not see in them career politicians is missing the point.

George Washington I did not mention. George Washington was much more reluctant a public servant. George Washington can legitimately be cited as someone whose preference was not for public life, but Franklin and Madison and Jefferson, and then to go on, as others have said, Webster and Clay, John C. Calhoun, these were not people who spent most of their time in what someone referred to as the real world.

I must say, until recently, I would reject the notion that there was something unreal about our world. But I will have to concede, when we are debating A, B versus 1, 2, 3 versus A, B, C, and invoking God's authority to tell us to pick one or the other, then I suppose an element of unreality has come in, but I do not think those who have rejected the unreality are entitled to cite it. I think that there is a rule of equity that ought to be abided by here.

Let me close with this, Mr. Chairman. The notion that a continuation in public service is corrupting can only mean one thing, that you think the public constitutes a bad influence on politicians, because what differentiates a career-elected official from someone else? It is that the career public official has decided to dedicate himself or herself to constant scrutiny of the public. That career is dependent on a renewal of the approval of the public.

What my colleagues must be saying is it is the only logical explanation when you denigrate people who make a career out of public service, the voters are on the whole a bad influence, and the way to improve things is in fact substantially diminished by amending the Constitution and changing what the Founding Fathers thought, substantially diminishing the extent to which the public can be such a bad influence.

I do not think that is a good idea, and I hope, once again, that all of these amendments are defeated in all of their various numerological, graphological, and other permutations.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The question is on the amendment in the nature of a substitute offered by the gentleman from Idaho [Mr. CRAPO].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CRAPO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 47, further proceedings on the amendment in the nature of a substitute offered by the gentleman from Idaho [Mr. CRAPO] will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 47, proceedings will now resume on those amendments in the nature of a substitute on which further proceedings were postponed in the following order: Amendment No. 1 in the nature of substitute offered by the gentleman from Arkansas [Mr. HUTCHINSON]; amendment No. 2 in the nature of a substitute offered by the gentleman from Colorado [Mr. MCINNIS]; and amendment No. 3 in the nature of a substitute offered by the gentleman from Idaho [Mr. CRAPO].

AMENDMENT NO. 1 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. HUTCHINSON

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment in the nature of a substitute offered by the gentleman from Arkansas [Mr. HUTCHINSON] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment in the nature of a substitute.

The Clerk redesignated the amendment in the nature of a substitute.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 85, noes 341, not voting 7, as follows:

[Roll No. 11]

AYES—85

Armey
Baldacci
Barcia
Bartlett
Bass
Bilbray
Blunt
Bono
Bryant
Burr
Cannon
Chabot
Chenoweth
Christensen
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cramer
Crane
Crapo
Cubin
Danner
DeFazio
Deutsch
Dickey
Dunn
Emerson
Ensign
Forbes
Fox
Franks (NJ)
Furse
Ganske
Gibbons
Gillmor
Goode
Gordon
Goss
Graham
Hall (TX)
Harman
Herger
Hill
Hilleary
Hutchinson
Inglis
Jones
Kim
Klug
Largent
Lewis (KY)
LoBiondo
Lucas
Maloney (CT)
McCarthy (MO)
McCrery
McIntosh
McNulty
Meehan
Metcalf
Minge
Myrick
Neumann
Ney
Paul
Peterson (MN)
Riley
Rohrabacher
Royce
Salmon
Sanford
Shadegg
Smith (MI)
Spence
Talent
Tauzin
Thornberry
Thune
Wamp
Watts (OK)
Weldon (FL)
Whitfield

NOES—341

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Barton
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Castle
Chambliss
Clayton
Clement
Clyburn
Collins
Conyers
Costello
Cox
Coyne
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goodlatte
Goodling
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Istook
Jackson (IL)

Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
Lofgren
Lowey
Luther
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Rivers
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schiff
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOT VOTING—7

Carson
Clay
Kanjorski
Obey
Richardson
Scarborough
Young (AK)

☐ 1427

Messrs. Greenwood, Boehner, Barton of Texas, Nadler, and Dan Schaefer of Colorado changed their vote from ''aye'' to ''no.''

Messrs. Deutsch, Hall of Texas, Combest, Goss, Tauzin, and Bartlett of Maryland changed their vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MCINNIS

The CHAIRMAN. The pending business is the request for a recorded vote on the amendment in the nature of a substitute offered by the gentleman from Colorado [Mr. MCINNIS] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 87, noes 339, not voting 7, as follows:

[Roll No. 12]

AYES—87

Armey
Baldacci
Barcia
Bartlett
Bass
Bilbray
Blunt
Bono
Bryant
Burr
Cannon
Chabot
Chenoweth
Christensen
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cramer
Crane
Crapo
Cubin
Danner
DeFazio
Deutsch
Dickey
Dunn
Emerson
Ensign
Forbes
Fox
Franks (NJ)
Furse
Ganske
Gibbons
Gillmor
Goode
Goss
Graham
Hall (TX)
Harman
Hefley
Herger
Hill
Hilleary
Inglis
Jones
Kim
Klug
Largent
Lewis (KY)
LoBiondo
Lucas
Maloney (CT)
McCarthy (MO)
McCrery
McInnis
McIntosh
McNulty
Meehan
Metcalf
Minge
Myrick
Neumann
Ney
Paul
Peterson (MN)
Petri
Riley
Rohrabacher
Royce
Salmon
Sanford
Schaefer, Dan
Schaffer, Bob
Shadegg
Smith (MI)
Talent
Tauzin
Thornberry
Thune
Wamp
Watts (OK)
Weldon (FL)
Whitfield

NOES—339

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Barton
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Castle
Chambliss
Clayton
Clement
Clyburn
Collins
Conyers
Costello
Cox
Coyne
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
Lofgren
Lowey
Luther
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McDade
McDermott
McGovern
McHale
McHugh
McIntyre
McKeon
McKinney
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Rivers
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schiff
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOT VOTING—7

Carson
Clay
Obey
Richardson
Scarborough
Spratt
Young (AK)

☐ 1437

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. CRAPO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment in the nature of a substitute offered by the gentleman from Idaho [Mr. CRAPO] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment in the nature of a substitute.

The Clerk redesignated the amendment in the nature of a substitute.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 85, noes 339, not voting 9, as follows:

[Roll No. 13]

AYES—85

Armey
Baldacci
Barcia
Bartlett
Bass
Bilbray
Blunt
Bono
Bryant
Burr
Cannon
Chabot
Chenoweth
Christensen
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cramer
Crane
Crapo
Cubin
Danner
DeFazio
Deutsch
Dickey
Dunn
Emerson
Ensign
Forbes
Fox
Franks (NJ)
Furse
Ganske
Gibbons
Gillmor
Goode
Goss
Graham
Hall (TX)
Harman
Herger
Hill
Hilleary
Inglis
Jones
Kim
Klug
Largent
Lewis (KY)
LoBiondo
Lucas
Maloney (CT)
McCarthy (MO)
McCrery
McIntosh
McNulty
Meehan
Metcalf
Minge
Myrick
Neumann
Ney
Paul
Peterson (MN)
Reyes
Riggs
Riley
Rohrabacher
Royce
Salmon
Sanford
Shadegg
Smith (MI)
Talent
Tauzin
Thornberry
Thune
Wamp
Watts (OK)
Weldon (FL)
White
Whitfield

NOES—339

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Barton
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Castle
Chambliss
Clayton
Clement
Clyburn
Collins
Conyers
Costello
Cox
Coyne
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
Lofgren
Lowey
Luther
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rivers
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schiff
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thurman
Tiahrt
Tierney
Torres
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weldon (PA)
Weller
Weygand
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOT VOTING—9

Carson
Clay
Meek
Obey
Richardson
Scarborough
Towns
Wexler
Young (AK)

☐ 1548

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 105–4.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. BLUNT

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

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

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

Amendment in the nature of a substitute offered by Mr. BLUNT:

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

''ARTICLE—

''(a) No person shall serve in the office of United States Representative for more than three terms, but upon ratification of this amendment no person who has held the office of United States Representative or who then holds the office shall serve for more than two additional terms.

''(b) No person shall serve in the office of United States Senator for more than two terms, but upon ratification of this amendment no person who has held the office of United States Senator or who then holds the office shall serve in the office for more than one additional term.

''(c) Any state may enact by state constitutional amendment longer or shorter limits than those specified in section 'a' or 'b' herein.

''(d) This article shall have no time limit within which it must be ratified to become operative upon the ratification of the legislatures of three-fourths of the several States.''.

The CHAIRMAN. Pursuant to House Resolution 47, the gentleman from Missouri [Mr. BLUNT] will be recognized for 5 minutes in support of the amendment, and a Member in opposition to the amendment, the gentleman from Virginia [Mr. SCOTT], will be recognized for 5 minutes.

The Chair now recognizes the gentleman from Missouri [Mr. BLUNT].

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

I am pleased to have the opportunity to offer an amendment to House Joint Resolution 2. I want to express my appreciation to the gentleman from Florida, [Mr. MCCOLLUM], for his commitment to term limits and for the amendment that he has offered and his consistent stand for term limits over the years.

As the Secretary of State in Missouri a number of years ago, I was the first State official in our State to support term limits and, in fact, our State, 10 years ago, adopted term limits as an amendment to our constitution. We were one of the first States to do that. As we know, Mr. Chairman, eventually 23 States adopted term limits as part of their State constitution, and the Supreme Court, by a 5 to 4 vote, determined that States on their own did not have the ability to establish that requirement for membership in the Congress.

In the last election, Missourians again voted to adopt an amendment to our constitution that called for even a stricter limit on the terms a person can serve in the House. Our first amendment was 8 years in the House and 12 years in the Senate, with the caveat that half of the States would have to have term limits before our term limits would come to pass.

In the last election, Missourians again showed that they were in the mainstream of thinking in the country, where 80 percent of the voters in the country consistently, and generally voters who do not agree on any other

topic, agreed that term limits is a reform that would be a beneficial reform for the Congress and would ensure a different kind of decisionmaking in the Congress; would assure that people come more frequently and from different perspectives as to what the government needs to do.

We also, in our amendment and in the amendment that I am proposing today, gave leeway to the States that I think is unique in this debate. What the amendment that I am proposing does, Mr. Chairman, is it establishes a maximum amount of time that can be spent in the House of three terms, a maximum amount of time that can be spent in the Senate of two terms, but allows the States on their own to change their constitution in ways different than that if they choose to do so.

I think this differs from a proposal that would just say let us leave this totally up to the States, because it does set a limit if a State has not chosen to deal with this on its own. It also allows the States at a later time, and as the thinking on this concept of term limits would mature and develop over time, to, on a one-by-one basis, decide that a different limit other than 6 years in the House and 12 years in the Senate had merit.

Certainly I can see a scenario where people might decide that 6 years was not quite enough, but they would then by an individual State basis have the ability to go to 8 years or 10 years or even 12 years in the House, or more.

It also, conversely, would allow voters in States that had decided that 6 years was just right to also decide that 6 years was just right for the Senate and to adopt a limit for the Senate of only one term.

So we are proposing, I and others of my colleagues from Missouri, in exact compliance with the express direction of Missouri voters in the last election, that the Constitution be amended to allow a limit of 6 years in the House, a limit of 12 years in the Senate, but to give the States flexibility as to how they would deal with that in the future.

I appreciate the opportunity that has been provided to offer certain amendments to House Joint Resolution 2.

I request your support for an amendment that I have offered for consideration by the House. For purposes of clarification and identification, I will refer to it as the Missouri Amendment.

It is my belief that term limits must reflect the desire of the American public to change the system under which this institution operates. Clearly, the public holds the opinion that fewer terms are better than more. Recent polling confirms that an overwhelming majority of voters believe that six terms for a member of the House is too long. Over 80 percent of the voting public prefers a three-term limit.

As a former county elections official and as the former chief election officer for the State of Missouri, I have studied this issue and listened to the voters. The voters of Missouri have twice had the opportunity for a statewide vote relative to term limits. They have made their viewpoint known.

Consistent with those views and my own, I was the first Missouri statewide official to endorse term limits. I have offered a bill, House Joint Resolution 42, to limit terms to three in the House and two in the Senate.

In November 1996, state constitutional amendments were passed in nine States, including Missouri, as a result of grassroot initiative efforts.

Those State constitutional amendments instruct members of the State's congressional delegation to work for the adoption of a U.S. Constitutional amendment establishing Congressional term limits. The initiatives also included very specific voter instructions to incumbents and candidates. Failure to comply with these instructions trigger language to be placed by the name of candidates on future ballots which read either ''Disregarded Voters' Instruction on Term Limits'' or ''Declined to Support Term Limits.'' Thus, becoming known as the scarlet letter provision.

Many members of Congress support the adoption of term limits. As you are aware, there is much debate over the specific number of terms to be adopted. The situation now occurs which a member of one of the nine States who supports term limits but votes for House Joint Resolution 2, may fail the test and have triggered the scarlet letter provision.

In the nine States, the final determination as to whether or not a member followed voter instructions rests with the Secretary of State. The Secretary of State may determine that, in order to avoid failing the ''Voter Instruction'' test, a member may be required to vote for language that is absolutely identical and verbatim to that which passed in his or her home State. Therefore, it may be necessary for each of those nine States' delegation to have an opportunity to vote for term limit language unique to their State. House Leadership has expressed concern that such an opportunity be made available.

To that end, to ensure that members of the Missouri delegation have the ability to vote for language that meets a verbatim test of Missouri Amendment 9, I am offering the Missouri amendment.

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

Mr. SCOTT. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, of all of the amendments, this is the least bad, but not good, so I still oppose it. However, it does allow the States the option, if one State finds itself with a horrible delegation, of wiping it clean with some term limits, but the other States would not be so affected.

So although it is the least bad, it is still not good and I have to oppose it. But I thank the gentleman for offering us this opportunity.

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

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

I want to say I think this is an idea whose time will come. It may not come today, but I believe that term limits will be a reform that comes in this House. I think it can come with some flexibility.

I appreciate my colleague from Virginia at least recognizing my amendment as the least bad of the amendments that has been offered today.

Mr. Chairman, I yield back the balance of my time.

Mr. SCOTT. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas, Ms. SHELIA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank my colleague for his leadership and for yielding me this time.

It would appear that my position in this House is to try to be as consistent and as pure and as well focused on the issues as one could possibly be. I have already made the statement that this Constitution is secure and that the people can ratify those of us who run for this office every 2 years. But I must say to the gentleman from Missouri [Mr. BLUNT] that I am interested in his particular amendment inasmuch as it tracks, albeit in a limited fashion, my commitment to States' rights on this issue.

□ 1500

I am hearing all of the discord and discussion about the people speaking. At least Mr. BLUNT's amendment has a provision that suggests that if the States do not act or if they do not act, it then falls to three terms for the House and two terms for the Senate, but that it has a provision that the States can act, and that means that Indiana can act, that Texas can act, that New York can act, that Virginia can act on their accord as the people would so speak.

So I would simply raise this amendment up for its consideration. I speak to it so that I can be consistent on my persistent point that this belongs, if anywhere, with the States, not with those of us in the U.S. Congress that would do damage to the Constitution that has been framed very well, that allows the people to speak every 2 years.

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

Mr. ROEMER. Mr. Chairman, I think that many of the problems in America today are not necessarily going to be solved by people in Washington today. As we debate term limits here, saying that term limits are going to solve problems, to finance the budget, to change Washington, to invest in our children, I think that is absolutely the wrong approach to take.

The answers to America lie within the American people. If we can encourage people to vote in our home constituencies, if we can encourage people to be responsible citizens and act through the ballot box, then we will solve so many of the problems that are bothering this great and wealthy Nation today.

In Indiana, where I am from, we have seven Members that are new to our delegation since 1990. Seven out of ten are new, and we do not have term limits. The people of Indiana are voting to send new people to Washington, D.C.

When we look at amending the Constitution, I think it is very important to read what some of the Federalist Papers have said to us. They have said, by Alexander Hamilton in Paper No. 71, ''Deprive the new government of experienced officials and reduce the incentives for political accountability.''

James Madison in No. 53 writes, ''The greater the proportion of new Members, the more apt they will be to fall into the snares that might be laid for them.''

I was a new Member, and I think we need fresh faces and new ideas here, but they should come from our individual constituencies and from our people voting, not from a gimmick like term limits.

Finally, Mr. Chairman, let me just say that I feel very strongly about this. I feel that we can inspire people to vote, and we need to run positive campaigns and not mud sling at one another. We need to run bipartisan legislation here. We need to reform our campaign laws. That will encourage people to vote.

Mr. SCOTT. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The question is on the amendment in the nature of a substitute offered by the gentleman from Missouri [Mr. BLUNT].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BLUNT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 47, further proceedings on the amendment in the nature of a substitute offered by the gentleman from Missouri [Mr. BLUNT] will be postponed.

It is now in order to consider Amendment No. 5 printed in House Report 105–4.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. CHRISTENSEN

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

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

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

Amendment in the nature of a substitute offered by Mr. CHRISTENSEN:

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

''ARTICLE—

''SECTION 1. No person shall serve in the office of United States Representative for more than three terms, but upon ratification of this amendment no person who has held the office of United States Representative or who then holds the office shall serve for more than two additional terms.

''SECTION 2. No person shall serve in the office of United States Senator for more than two terms, but upon ratification of this amendment no person who has held the office of United States Senator or who holds the office shall serve more than one additional term.

''SECTION 3. This article shall have no time limit within which it must be ratified to become operative upon the ratification of the legislatures of three-fourths of the several states.''.

The CHAIRMAN. Pursuant to House Resolution 47, the gentleman from Nebraska [Mr. CHRISTENSEN] and the gentleman from Virginia [Mr. SCOTT] will each control 5 minutes.

The Chair recognizes the gentleman from Nebraska [Mr. CHRISTENSEN].

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

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

I thank the Chairman for allowing me to speak on an issue that is so important to the majority of Americans, and that is the issue of term limits. Americans unequivocally support the concept of term limits. Poll after poll will reflect this. But this past fall, voters across the country approved term limit amendments to their State constitutions, giving further credence to what we already know to be true.

Americans are demanding term limits. The people of my State have now spoken three times on this issue. In 1992, Nebraskans passed a term-limits amendment to our State constitution, only to have it thrown out by the State supreme court on a ballot requirement technicality. Undaunted, the voters of Nebraska passed another term-limits amendment by an even greater margin 2 years ago. This amendment was later invalidated by the U.S. Supreme Court.

This past November, Nebraska and eight other States adopted term-limit amendments to their respective constitutions by overwhelming margins; 61 percent of the voters in my district approved term limits last fall. Nebraskans feel very strongly that term limits are a necessary step in returning our Government to the people.

I do agree with my friend from Indiana that the answers to America's problems do not lie in Washington, but I believe until we fully get to that step, we need to continue toward what the people want. The people of Nebraska ask strongly, and with a 61-percent approval, to make sure that we had an opportunity to offer this today.

During my first campaign for Congress, I pledged I would serve no more than four terms. That was in accordance with Nebraska term-limits law at the time. I did so because I believed that a citizen legislature, a citizen Congress, that was originally founded by our Founding Fathers, was what their intent was to be, and to follow that direction. But yet America has gone away from that, and I believe that there are too many people that are making this into a career.

I ask you today how anyone who spends over 30 years here, how they can identify with that farmer, that entrepreneur, that individual who is out there each day in the working world trying to make a living. I believe that people here in Congress should be sent and are sent to represent and not rule over the people.

Mr. Chairman, it is clear that what we need to do today is to enact term limits so that Nebraskans and other States like Nebraska who have overwhelmingly asked for this type of initiative, be put into law. I ask Members therefore to join me today in supporting the Christensen amendment, which is a 6-year, 12-year type of approach with a beginning of this year.

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

Mr. SCOTT. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to the legislation.

Mr. Chairman, there is an old congressional adage that all that needs to be said has already been said but all that need to say it have not already said it.

This substitute is virtually identical to several that have been defeated previously by margins of greater than 3 to 1. This amendment refers to the legislation as an amendment and has a perfecting paragraph; the Arkansas amendment refers to legislation as the congressional term-limits amendment; the Colorado amendment referred to it as an amendment; the Idaho amendment referred to it as an article; the Missouri amendment referred to it as an amendment; the next amendment we will consider refers to it as an amendment, but substantively they are all identical. So we will just incorporate by reference all of the arguments against this amendment that have previously been made and have been very successful in defeating it.

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

Mr. CHRISTENSEN. Mr. Chairman, I yield myself such time as I may consume. This amendment does parallel exactly word for word the ballot initiative 409 in the State of Nebraska. I greatly respect my friend from Virginia.

Mr. Chairman, I yield back the balance of my time.

Mr. SCOTT. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Nebraska [Mr. CHRISTENSEN].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CHRISTENSEN. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 47, further proceedings on the amendment in the nature of a substitute offered by the gentleman from Nebraska [Mr. CHRISTENSEN] will be postponed.

The point of no quorum is considered withdrawn.

It is now in order to consider amendment No. 6 printed in House Report 105–4.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. ENSIGN

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

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

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

Amendment in the nature of a substitute offered by Mr. ENSIGN:

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

''CONGRESSIONAL TERM LIMITS AMENDMENT

''SECTION 1. No person shall serve in the office of the United States Representative for more than three terms, but upon ratification of this amendment no person who has held the office of United States Representative or who then holds the office shall serve for more than two additional terms.

''SECTION 2. No person shall serve in the office of United States Senator for more than two terms, but upon ratification of this amendment no person who has held the office of United States Senator or who then holds the office shall serve for more than one additional term.

''SECTION 3. This article shall have no time limit within which it must be ratified by the legislatures of three-fourths of the several States.''.

The CHAIRMAN. Pursuant to House Resolution 47, the gentleman from Nevada [Mr. ENSIGN] and the gentleman from Virginia [Mr. SCOTT] will each control 5 minutes.

The Chair recognizes the gentleman from Nevada [Mr. Ensign].

Mr. ENSIGN. Mr. Chairman, I yield 2 minutes to the gentleman from Nevada [Mr. GIBBONS].

Mr. GIBBONS. I thank the gentleman from Nevada [Mr. ENSIGN] for yielding me this time.

Mr. Chairman, I am a strong believer in term limits for Members of Congress. I am very excited that as a freshman Member and a Representative, I have taken an active involvement in such an important debate.

As my colleague the gentleman from Nevada [Mr. ENSIGN] has stated, a majority of Nevada voters have mandated that we support three two-year terms for Representatives and two 6-year terms for Senators. Our amendment reflects these limits and sets no time limit for ratification. Our amendment also does not apply to terms retroactively. It just states that upon ratification, incumbent Representatives may serve no more than 2 additional terms and incumbent Senators no more than 1 additional term.

If I may characterize, Mr. Chairman, the reasons that the question of term limits was put on the 1996 Nevada ballot was that the voters, and I feel across America as well as in Nevada, are deeply troubled by Congress and their continuing disregard for their desire for term limits. The voters are concerned that there is a conflict of interest whereby Congress has ignored the voice of the people and failed to pass term limits. They are concerned that without term limits, the effort to get reelected seriously dilutes the effectiveness of Congress. They are concerned that career politicians will perpetuate their dominion over Congress. But most of all they are concerned that the lack of term limits denies the will of our Founding Fathers, that this branch of government remain closest to the people.

Nevada has joined the ranks of 23 other States which support term limits. By the terms of the Nevada constitution, the State amendment initiative to support term limits must be approved by the voters in two general elections. Although neither Representative ENSIGN nor I are standing before you today for any other reason, we are representing the spirit of our voters.

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

We have heard previous speakers talk about trivializing the constitution. I think the exercise we are going through now points out how trivial some of this exercise is. This amendment is virtually identical to several that we have previously defeated, as I said, by margins of 3, almost 4 to 1. There is a difference in this one. The title of the thing is Congressional Term Limits Amendment. The title listed in others was, quote, Article. We use 1, 2, and 3 to designate the sections rather than A, B, and C. It is substantively identical to several we have already considered. Again, we will incorporate by reference the arguments that had those other amendments defeated.

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

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

Mr. Chairman, I want to address a few of the points that have been brought up here today on the House floor. First of all, yes, we are pretty assured that we are not going to win this term limits battle today. But it is important that we do have this vote, for the will of the American people is to have term limits and the only way that they know whether or not their Member represents them the way that they want is to have recorded votes. That is why I applaud the leadership in the House of Representatives for not only bringing this to the floor today but also in the last Congress. The reason that I believe so strongly in term limits are several reasons. One is the power of incumbency. People say, ''Well, you have term limits at the ballot booth.'' Mr. Chairman, nothing could be further from the truth simply because of the power of incumbency. Challengers in no way can have the same kind of name recognition unless they raise so much money or have incredible personal wealth, because incumbents get on the radio whenever they want, they get on television whenever they want, they go to our plants whenever they want, and these same opportunities are not afforded to challengers.

□ 1515

The other things that have been brought up on the floor today address turnover. We have had a tremendous turn over the last few years. Well, those have been extraordinary circumstances. One is we had a campaign finance reform bill where Members of Congress had to retire if they wanted to take their campaign money with them. We look at several of the other things that have happened: There have been extraordinary circumstances of why we have had tremendous turnover. This is not normal. We also look at the statistics: Incumbents have a huge advantage on being reelected, and a lot of good people do not run for office because if one is faced with a 20 or 30 to 1 chance of winning against an incumbent, they do not want to have their family's name drug through the mud, they do not want their own good name drug through the mud after a successful career, and a lot of good people are not coming to this body in America because of the power of incumbency.

I believe very strongly that we need a blend of fresh ideas coming in constantly with some wisdom that is built up, and the only way to do that is with term limits.

We also hear a lot about campaign finance reform, and frankly I think that the prospects for that this year are pretty dim myself, just talking with the competing forces. I hope it comes about. I think we desperately need it. But there is no better campaign finance reform than term limits. The power of the incumbency can only be negated by term limits.

Mr. Chairman, I yield back the balance of my time.

Mr. SCOTT. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Nevada [Mr. ENSIGN].

The question was taken; and the chairman announced that the noes appeared to have it.

Mr. ENSIGN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 47, further proceedings on the amendment in the nature of a substitute offered by the gentleman from Nevada [Mr. ENSIGN] will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 47, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment No. 4 offered by the gentleman from Missouri [Mr. BLUNT], amendment No. 5 offered by the gentleman from Nebraska

[Mr. CHRISTENSEN], and amendment No. 6 offered by the gentleman from Nevada [Mr. ENSIGN].

AMENDMENT NO. 4 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. BLUNT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment in the nature of a substitute offered by the gentleman from Missouri [Mr. BLUNT] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment in the nature of a substitute.

The Clerk redesignated the amendment in the nature of a substitute.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 72, noes 353, not voting 8, as follows:

[Roll No 14]

AYES—72

Armey
Baldacci
Barcia
Bartlett
Bass
Bilbray
Blunt
Bono
Bryant
Burr
Cannon
Chabot
Clement
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cramer
Crane
Danner
DeFazio
Deutsch
Dunn
Emerson
Ensign
Forbes
Fox
Franks (NJ)
Ganske
Gibbons
Gillmor
Goode
Goss
Graham
Hall (TX)
Harman
Herger
Hill
Hilleary
Inglis
Jackson-Lee (TX)
Jones
Kim
Klug
Largent
Lewis (KY)
LoBiondo
Maloney (CT)
McCarthy (MO)
McIntosh
McNulty
Meehan
Metcalf
Minge
Myrick
Neumann
Ney
Paul
Peterson (MN)
Rohrabacher
Royce
Salmon
Sanford
Shadegg
Smith (MI)
Talent
Thornberry
Wamp
Watts (OK)
Whitfield

NOES—353

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Barton
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Castle
Chambliss
Chenoweth
Christensen
Clayton
Clyburn
Collins
Conyers
Costello
Cox
Coyne
Crapo
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Furse
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
Lofgren
Lowey
Lucas
Luther
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schiff
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOT VOTING—8

Carson
Clay
Obey
Pickering
Richardson
Scarborough
Smith (NJ)
Young (AK)

□ 1536

Messrs. Thune, Torres, and White changed their vote from ''aye'' to ''no.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. PICKERING. Mr. Chairman, on roll call no. 14, I was unavoidably detained. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mr. SMITH of New Jersey. Mr. Chairman, on roll call no. 14, I was unavoidably detained. Had I been present, I would have voted ''no.''

AMENDMENT NO. 5 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. CHRISTENSEN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment in the nature of a substitute offered by the gentleman from Nebraska [Mr. CHRISTENSEN] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment in the nature of a substitute.

The Clerk redesignated the amendment in the nature of a substitute.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 83, noes 342, not voting 8, as follows:

[Roll No. 15]

AYES—83

Armey
Baldacci
Barcia
Bartlett
Bass
Bilbray
Blunt
Bryant
Burr
Cannon
Chabot
Chenoweth
Christensen
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cramer
Crane
Crapo
Cubin
Danner
DeFazio
Deutsch
Dickey
Dunn
Emerson
English
Ensign
Forbes
Fox
Franks (NJ)
Furse
Ganske
Gibbons
Gillmor
Goode
Goss
Graham
Hall (TX)
Harman
Herger
Hill
Hilleary
Inglis
Jones
Kim
Klug
Largent
Lewis (KY)
LoBiondo
Lucas
Maloney (CT)
McCarthy (MO)
McCrery
McIntosh
McNulty
Meehan
Metcalf
Minge
Myrick
Neumann
Ney
Paul
Peterson (MN)
Petri
Riley
Rohrabacher
Royce
Salmon
Sanford
Shadegg
Smith (MI)
Talent
Tauzin
Thornberry
Thune
Wamp
Watts (OK)
Weldon (FL)
Whitfield

NOES—342

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Barton
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Castle
Chambliss
Clayton
Clement
Clyburn
Collins
Conyers
Costello
Cox
Coyne
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich

Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
Lofgren
Lowey
Luther
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Rivers
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schiff
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOT VOTING—8

Bono
Carson
Clay
Obey
Richardson
Scarborough
Smith (NJ)
Young (AK)

□ 1548

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BONO. Mr. Chairman, on rollcall No. 15, I was unavoidably detained. Had I been present, I would have voted ''yes''.

PERSONAL EXPLANATION

Mr. SMITH of New Jersey. Mr. Chairman, on rollcall No. 15, I was unavoidably detained. Had I been present, I would have voted ''no''.

AMENDMENT NO. 6 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. ENSIGN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment in the nature of a substitute offered by the gentleman from Nevada [Mr. ENSIGN], on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment in the nature of a substitute.

The Clerk redesignated the amendment in the nature of a substitute.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 85, noes 339, not voting 9, as follows:

[Roll No. 16]

AYES—85

Armey
Baldacci
Barcia
Bartlett
Bass
Bilbray
Blunt
Bono
Bryant
Burr
Cannon
Chabot
Chenoweth
Christensen
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cramer
Crane
Crapo
Cubin
Danner
Davis (VA)
DeFazio
Deutsch
Dickey
Dunn
Emerson
English
Ensign
Forbes
Fox
Franks (NJ)
Furse
Ganske
Gibbons
Gillmor
Goode
Goss
Graham
Hall (TX)
Harman
Herger
Hill
Hilleary
Inglis
Jones
Kim
Klug
Largent
Lewis (KY)
LoBiondo
Lucas
Maloney (CT)
McCarthy (MO)
McCrery
McIntosh
McNulty
Meehan
Metcalf
Minge
Myrick
Neumann
Ney
Paul
Peterson (MN)
Radanovich
Riley
Rohrabacher
Royce
Salmon
Sanford
Shadegg
Smith (MI)
Talent
Tauzin
Thornberry
Thune
Wamp
Watts (OK)
Weldon (FL)
Whitfield

NOES—339

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Barton
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Castle
Chambliss
Clayton
Clement
Clyburn
Collins
Conyers
Costello
Cox
Coyne
Cummings
Cunningham
Davis (FL)
Davis (IL)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
Lofgren
Lowey
Luther
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Rivers
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schiff
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Tanner
Tauscher
Taylor (MS)
Thomas
Thompson
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOT VOTING—9

Carson	Obey	Smith (NJ)
Clay	Richardson	Taylor (NC)
LaTourette	Scarborough	Young (AK)

□ 1557

Mrs. Kennelly changed her vote from ''aye'' to ''no.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. SMITH of New Jersey. Mr. Chairman, on roll call no. 16, I was unavoidably detained.

Had I been present, I would have voted No.

The CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 105–4.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. THUNE

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

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

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

Amendment in the nature of a substitute offered by Mr. THUNE:

Strike all after the resolving clause and insert the following: That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

''ARTICLE—

''(a) No person shall serve in the office of the United States Representative for more than three terms, but upon ratification of this amendment no person who has held the office of United States Representative or who then holds the office shall serve for more than two additional terms.

''(b) No person shall serve in the office of United States Senator for more than two terms, but upon ratification of this amendment no person who has held the office of United States Senator or who then holds the office shall serve more than one additional term.

''(c) This article shall have no time limit within which it must be ratified by the legislatures of three-fourths of the several states.''.

Mr. CHAIRMAN. Pursuant to House Resolution 47, the gentleman from South Dakota [Mr. THUNE] and the gentleman from Virginia [Mr. SCOTT] each will control 5 minutes.

The Chair recognizes the gentleman from South Dakota [Mr. THUNE].

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

I appreciate the opportunity to address this issue today. I want to add to the menu of options that is available for those who support term limits. I would like today, Mr. Chairman, to vote in favor of the McCollum amendment, the Fowler amendment, but frankly the voters of South Dakota have spoken as well. We have a specific provision in our law now, and I must rise to offer an amendment which is consistent with that provision.

Frankly, it has been my long-held belief that our country and this Congress would be well served by term limits. So I have consistently throughout the last year as I have campaigned across the State of South Dakota supported term limits.

In fact, I have committed to support the most restrictive version that would be enacted by the House of Representatives. But today the amendment that I offer would comply with the State law, and the State of South Dakota has been clear in the message that they have sent to us, in 1992. Over 63 percent of the voters in our State approved an amendment to the State Constitution that restricted the service of South Dakota's congressional delegation and of the State legislature.

While a decision of the U.S. Supreme Court rendered the law invalid as it applies to Members of Congress, South Dakotans still believe strongly in limiting congressional service. A more recent vote affirmed that belief. That last November almost 68 percent of the voters approved another term limits measure. The measure, now part of South Dakota codified law, provides that any Member of Congress representing the State of South Dakota must work to enact a constitutional term limits amendment.

The law explicitly enumerates what actions a Member of the U.S. House or U.S. Senate may take in order to enact the measure. The law also explicitly defines a term limits amendment to the U.S. Constitution. Those terms are outlined verbatim in my version of the amendment. If a Member of the South Dakota delegation fails to follow the directions of that law, a notation stating ''disregarded voters' instructions on term limits'' would appear next to that person's name on the ballot.

To say the least, that notation would be undesirable to any candidate. As a strong proponent of term limits, that statement would not accurately reflect my position on this issue.

The amendment I offer today would conform with South Dakota law. The Thune amendment allows for no more than three terms in the U.S. House of Representatives and no more than two terms in the U.S. Senate.

Upon ratification, an individual holding office of either House may serve no more than two terms in that respective House. I respectfully request my colleagues to vote in favor of the amendment I am offering. At the same time, I realize there are similar measures that would work toward the same purpose.

In fact, I was an original cosponsor of the McCollum resolution, House Joint Resolution 2. While my cosponsorship did not change my self-imposed three term limit commitment, I realized that cosponsoring that resolution likely would have forced a negative message next to my name on the 1998 ballot. Therefore, on February 4, I had my name removed as a cosponsor of House Joint Resolution 2.

Because I am so committed to the concepts of term limits, I would urge my colleagues to vote in favor of some amendment today, some version, some approach that we can put on the ballot and get a serious vote. Frankly, I would hate to see this issue go down because we continually use a shotgun approach and give us a range of options rather than dealing with one particular version that could be enacted and passed by the two-thirds that are necessary in the House and the Senate.

Mr. Chairman, I yield 1 minute to the distinguished gentleman from the State of South Carolina [Mr. SANFORD].

Mr. SANFORD. Mr. Chairman, I rise in support of this amendment because it seems to me that fewer years yields more in the way of benefits when it comes to term limits. I say that for a couple of different reasons.

First, it is consistently what I hear about from my constituents back home. They do not say more or longer terms. They say shorter terms.

Second, it seems to be the will of the Founding Fathers, when they talked about our Congress, this institution, they talked about a citizens Congress, and fewer years would yield that.

Last, I think that fewer years would yield more in the way of benefit in terms of cutting our Nation's debt and deficit. The National Taxpayers Union did a study. What they found was that there was direct correlation between the length of time in office and propensity to spend taxpayer money. This amendment would make a difference on that front. For that reason, I support it.

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

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

As I understand this amendment, it provides for three House terms, two Senate terms and is substantively identical to five earlier versions that we have considered. It is my understanding that the only difference between this amendment and other amendments is the fact that the sections are numbered 1, 2 and 3. And instead of using 1, 2 and 3 and capital A and capital B and capital C, this one designates the sections using small A, small B, and small C.

Mr. Chairman, I would yield to the sponsor of the amendment to explain to me if there are any other differences between this and other amendments that we have been defeating by margins of three and four to one. If there are any differences other than the designation 1, 2, 3, capital A, B and C and the small letters A, B and C, I yield to the gentleman to respond.

Mr. THUNE. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from South Dakota.

Mr. THUNE. Mr. Chairman, I thank the gentleman from Virginia for the question.

There are no substantive material differences between this and other proposals that have been voted on here

today. However, in fairness to the people, the voters of our State, we chose to have the exact language as adopted verbatim by the voters of South Dakota as an option to vote on this afternoon.

Mr. SCOTT. Mr. Chairman, we have already spoken about the trivializing of the Constitution. Obviously this process suggests that we are involved in a very trivial situation right now, voting on separate amendments where the only difference is whether sections are 1, 2, 3, capital A, B and C or small A, B and C and taking separate votes on each one. I will incorporate by reference the substantive arguments that have been made heretofore that have resulted in the defeat of amendments by margins of three and four to one or worse.

Mr. Chairman, I yield back the balance of my time.

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

I would simply respond to the gentleman from Virginia by saying that I think most on the floor this afternoon who have suggested that it is trivializing to have these different amendments available probably come from States who have not been directed by their voters to have that. I think it is very important to all of us who have offered such amendments, as a result of such language being adopted by the voters of their State. In compliance with and at the direction of their will, we have the opportunity to vote on these amendments.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from South Dakota [Mr. THUNE].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. THUNE. Mr. Chairman, I demand a recorded vote and, pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 47, further proceedings on the amendment in the nature of a substitute offered by the gentleman from South Dakota [Mr. THUNE] will be postponed.

The point of no quorum is considered withdrawn.

It is now in order to consider amendment No. 8 printed in House Report 105–4.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. FOWLER

Mrs. FOWLER. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

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

Amendment in the nature of a substitute offered by Mrs. FOWLER:

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

''ARTICLE—

''No person may serve more than four consecutive terms as Representative or two consecutive terms as Senator, not counting any term that began before the adoption of this article of amendment.''

The CHAIRMAN. Pursuant to House Resolution 47, the gentlewoman from Florida [Mrs. FOWLER] and the gentleman from Virginia [Mr. SCOTT] each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida [Mrs. FOWLER].

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

My amendment is very simple. No bells, no whistles, no hidden meaning, just straight term limits, eight consecutive years for House Members, 12 consecutive years for Senators.

It is the only one offered today that is not a lifetime ban. My amendment is based on the initiative passed by my State's voters in 1992. The Eight is Enough term limits initiative garnered 77 percent of the vote in Florida, the highest percentage for term limits in any State.

Although the Supreme Court decision struck down those term limits for Members of Congress, they are still in effect by our State legislature and State cabinet officers. Like many other States, our Governor was already term limited. Six, eight, twelve, there is really no magic number when it comes to term limits. Those of us who really support term limits do so because we subscribe to the notion that rotation in office is a good thing. It keeps officeholders close to the people.

I think these goals are realized with any term limits, 12 years or under. That is why I will support the will of the House and vote for final passage no matter which version makes it.

Because there is no magic number, I urge all my fellow term limit supporters to vote for my amendment. About 2 years ago, a certain unyielding term limits group started shifting the debate from distinguishing between term limits supporters and term limits opponents to distinguishing between supporters of 6-year limits and supporters of 12-year limits. That is when I nicknamed my bill the Goldilocks bill. If you think 6 years is too short and you think 12 years is too long, then you might think 8 years is just right, just like the porridge in that famous nursery tale. I think an 8-year limit is an effective compromise that accomplishes all the goals we espouse as term limits advocates.

Prior to the Supreme Court decision in 1995, Florida, Ohio, Massachusetts, and Missouri had passed 8-year term limits; 8-year term limits were supported by 9 million voters in those States. I urge my colleagues to join those citizens in saying eight is enough and vote for passage of this amendment.

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

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

This one has an actual substantive difference from some of the others we have considered, having a lifetime of 8 years. With 8 years, it is 2 years less worse than the rest we have considered, which were defeated by margins of 4 to 1.

Obviously, the fact that this is on the floor suggests that the committee did not offer any arguments as to why this is any better or worse than any of the others we have considered. I think the Goldilocks rationale probably is about the most substantive rationale for this that I have seen.

Mr. Chairman, I would respectfully ask that the committee treat this the same way they have treated the others. Without prolonging the triviality, Mr. Chairman, I would just refer to the arguments that have resulted in defeat of the others.

Mr. Chairman, I yield back the balance of my time.

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

I would like to make one final point today. My amendment is the only one that limits consecutive service in either body. It is not a lifetime ban. This last election we have elected several former Members of Congress back to Congress. I think they really bring a unique perspective to this institution. I would urge my colleagues to support my amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentlewoman from Florida [Mrs. FOWLER].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mrs. FOWLER. Mr. Chairman, I demand a recorded vote and, pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to resolution 47, further proceedings on the amendment in the nature of a substitute offered by gentlewoman from Florida [Mrs. FOWLER] will be postponed.

The point of no quorum is considered withdrawn.

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The CHAIRMAN. It is now in order to consider amendment No. 9 printed in House Report 105–4.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SCOTT

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

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

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

Amendment in the Nature of a Substitute Offered by Mr. SCOTT.

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

''ARTICLE—

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

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

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

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

''SECTION 5. A State may enact a term limit less than that provided in this article.''.

The CHAIRMAN. Pursuant to House Resolution 47, the gentleman from Virginia [Mr. SCOTT] and the gentleman from Florida [Mr. MCCOLLUM] will each control 5 minutes.

The Chair recognizes the gentleman from Virginia [Mr. SCOTT].

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

Mr. Chairman, as the Subcommittee on the Constitution heard with term limits, we heard testimony that several States have either enacted or are considering enacting term limits of less than 12 years. If we are going to have term limits, I believe, Mr. Chairman, that the States ought to have that option.

As I have said, personally I think it is unnecessary and unwise to limit the terms. The voters can limit those terms when they see fit. Judging from the turnover in Congress in recent years, more than 70 percent of the House has turned over since 1990. So the voters seem to be doing a pretty good job.

Mr. Chairman, if this resolution passes without my amendment, it would have the incredible effect of setting aside the expressed representations of many States. It is obvious from this exercise that we have been going through that many States expect to be heard in this debate. So if we are to ever have any finality on this, we have to allow States to express their views and adopt limits less than 12 years.

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

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

I have to rise in opposition to this amendment because what it does is to create havoc out there and a hodgepodge system. If it were to be adopted, every State could adopt whatever it wants in the way of term limits up to the 12 years. We would wind up with some States having 12 years, I am sure forever, and other States having 4, 6, 8, who knows, for the House, and who knows for the Senate?

The net result of that, I think, would be bad government for our country. There would not be any uniformity. All the power would flow to those States that were the 12-year States.

The proponents of this say that is fine; it is the problem of the States, if they make that decision, who choose the lesser number. But I would suggest it is easier to say that than in practice to live it.

In reality, many residents of those States that do not choose to maintain the higher limits, the 12 years, which is the number of years for the House and Senate in the underlying bill I have offered, are going to suffer. They are going to suffer because the structure in some of those States, by initiative process and so forth, is such that they may never overcome or repeal or change those initiatives once they have adopted them for the lesser number of years.

I do not think that is good. I do not think our Founding Fathers, as much as they overlooked the term limits issue itself, would ever want that much lack of symmetry.

They envisioned a House and Senate that were pretty equally balanced in power; the States being represented by the Senators, who had the ability to take care of the small States because they were two from every State, regardless, and the House, which was more of a populace-based body. They did not envision this breakdown into compartments that I have described, that would allow power to flow to States for other types of reasons, reasons that are far beyond the scope of the original creators and founders of this Nation.

So I believe this is a very bad amendment. It is disingenuous. I know that the gentleman from Virginia, Mr. SCOTT, believes in offering it for the reasons he has stated. I do not want to derogate his personal views on this but, generally speaking, those who do not favor term limits would be the ones who most likely would want to support this amendment. Those who favor it, and want to really get term limits out of here ultimately and have it passed, ought to be supporting the underlying bill and should let us go forward and get to that vote after we finish voting on all the variations of the 6 and 8 years.

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

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

I would point out that the exercise that we have been through would suggest that if an amendment ever passed that did not allow the States to reduce the time, we would be back here year after year after year.

We have seen amendments presented where if we did not accept exactly the State language, not only the State language but the State designation of the sections, using a capital ''A'' rather than a small ''a'' or a number 1 rather than an A or a B, that they will be back. So if we want any finality to this, this amendment is absolutely essential.

Mr. Chairman, I yield back the balance of my time.

Mr. MCCOLLUM. Mr. Chairman, I yield myself the balance of my time, and I urge in the strongest of terms a ''no'' vote on the Scott amendment.

I believe it is a very ingenious amendment, but it is very destructive to the term-limits process for those who support term-limits. If it were to pass, it would be much more difficult for us to ever achieve a term limits passage through this body and through the Senate.

So for those of us who support term limits, and many of us do in some form or another, this vote should be ''no'' on the Scott amendment regardless of our views on other matters.

Mr. Chairman, I yield back the balance of my time.

Mr. HILLEARY. Mr. Chairman, I rise in strong support of the Scott Amendment.

Thousands of dedicated individuals gathered signatures on petitions in parking lots across the country. Twenty-five million people have cast ballots in favor of imposing term limits on Members of Congress from the States.

This amendment is very similar to the Hilleary Amendment which was voted on in the 104th Congress. My version recognized the Federal term limits statutes that had passed in several States. My amendment was the only one which clearly protected the hard work and wishes of these people.

Unfortunately, after the vote on the Hilleary Amendment, the U.S. Supreme Court struck down all of those State laws as unconstitutional.

While the Scott Amendment will not bring those State laws back to life, it will allow those States to have the opportunity to enact term limits that they feel is right for their federally elected officials.

I support States' rights and I support the Scott Amendment.

I urge all of my colleagues to support final passage.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Virginia [Mr. SCOTT].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SCOTT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 47, further proceedings on the amendment in the nature of a substitute offered by the gentleman from Virginia [Mr. SCOTT] will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 47, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 7 offered by the gentleman from South Dakota [Mr. THUNE]; amendment No. 8 offered by the gentlewoman from Florida [Ms. FOWLER]; and amendment No. 9 offered by the gentleman from Virginia [Mr. SCOTT].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 7 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. THUNE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment in the nature of a substitute offered by the gentleman from South Dakota [Mr. THUNE] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment in the nature of a substitute.

The Clerk redesignated the amendment in the nature of a substitute.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 83, noes 342, not voting 8, as follows:

[Roll No. 17]

AYES—83

Armey
Baldacci
Barcia
Bartlett
Bilbray
Blunt
Bono
Bryant
Burr
Cannon
Chabot
Chenoweth
Christensen
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cramer
Crane
Crapo
Cubin
Danner
Davis (VA)
DeFazio
Deutsch
Dickey
Dunn
Emerson
Ensign
Forbes
Fox
Franks (NJ)
Furse
Ganske
Gibbons
Gillmor
Goode
Goss
Graham
Hall (TX)
Harman
Herger
Hill
Hilleary
Inglis
Jones
Kim
Klug
Largent
Lewis (KY)
LoBiondo
Lucas
Maloney (CT)
McCarthy (MO)
McCrery
McIntosh
McNulty
Meehan
Metcalf
Minge
Myrick
Neumann
Ney
Paul
Peterson (MN)
Radanovich
Riley
Rohrabacher
Royce
Salmon
Sanford
Shadegg
Smith (MI)
Talent
Tauzin
Thornberry
Thune
Wamp
Watts (OK)
Weldon (FL)
Whitfield

NOES—342

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Castle
Chambliss
Clayton
Clement
Clyburn
Collins
Conyers
Costello
Cox
Coyne
Cummings
Cunningham
Davis (FL)
Davis (IL)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goodlatte
Gordon
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
Lofgren
Lowey
Luther
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Rivers
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schiff
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOT VOTING—8

Carson
Clay
Goodling
Obey
Pelosi
Richardson
Scarborough
Young (AK)

Messrs. SAXTON, HEFNER, and LATHAM changed their vote from ''aye'' to ''no.''

Mr. JONES changed his vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. FOWLER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment in the nature of a substitute offered by the gentlewoman from Florida [Mrs. FOWLER] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment in the nature of a substitute.

The Clerk redesignated the amendment in the nature of a substitute.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 91, noes 335, not voting 7, as follows:

[Roll No. 18]

AYES—91

Armey
Barcia
Bartlett
Bass
Bilbray
Bilirakis
Blagojevich
Bonilla
Bono
Bryant
Burr
Callahan
Canady
Cannon
Chabot
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cramer
Crane
Cubin
Danner
Davis (VA)
Deutsch
Dunn
Emerson
English
Ensign
Foley
Forbes
Fowler
Fox
Franks (NJ)
Furse
Ganske
Gibbons
Gillmor
Goode
Goss
Graham
Hall (TX)
Harman
Herger
Hilleary
John
Jones
Kim
Klug
Largent
LaTourette
Lewis (KY)
LoBiondo
Lucas
Maloney (CT)
McNulty
Meehan
Metcalf
Minge
Myrick
Nethercutt
Neumann
Ney
Norwood
Paul
Peterson (MN)
Pryce (OH)
Radanovich
Reyes
Riggs
Riley
Rohrabacher
Ros-Lehtinen
Royce
Sanford
Shadegg
Shaw
Sherman
Smith (MI)
Smith, Linda
Talent
Taylor (NC)
Thornberry
Traficant
Wamp
Weldon (FL)
White
Whitfield
Young (FL)

NOES—335

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Baldacci
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Barton
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burton
Buyer
Calvert
Camp
Campbell
Capps
Cardin
Castle

Chambliss
Chenoweth
Christensen
Clayton
Clement
Clyburn
Collins
Conyers
Costello
Cox
Coyne
Crapo
Cummings
Cunningham
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Edwards
Ehlers
Ehrlich
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
Lofgren
Lowey
Luther
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Northup
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Rivers
Roemer
Rogan
Rogers
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schiff
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shays
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
Wicker
Wise
Wolf
Woolsey
Wynn
Yates

NOT VOTING—7

Carson
Clay
Duncan
Obey
Richardson
Scarborough
Young (AK)

□ 1649

Mr. INGLIS of South Carolina and Mrs. CHENOWETH changed their vote from ''aye'' to ''no.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SCOTT

The CHAIRMAN. The pending business is a demand for a recorded vote on the amendment in the nature of a substitute offered by the gentleman from Virginia [Mr. SCOTT] on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment in the nature of a substitute.

The Clerk redesignated the amendment in the nature of a substitute.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 97, noes 329, not voting 7, as follows:

[Roll No. 19]

AYES—97

Armey
Barcia
Bartlett
Barton
Bilbray
Bilirakis
Blagojevich
Brady
Bryant
Burr
Calvert
Canady
Cannon
Chabot
Coburn
Combest
Condit
Cook
Cooksey
Cramer
Crane
Danner
Davis (VA)
Deal
DeFazio
Deutsch
Dunn
Emerson
English
Ensign
Etheridge
Forbes
Fowler
Fox
Franks (NJ)
Furse
Ganske
Gibbons
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Hall (TX)
Harman
Hayworth
Herger
Hill
Hilleary
Inglis
Jones
Kim
Kind (WI)
Largent
Lazio
Lewis (KY)
LoBiondo
Luther
Maloney (CT)
Manzullo
McIntosh
McKeon
McNulty
Meehan
Metcalf
Minge
Moran (VA)
Myrick
Neumann
Ney
Paul
Peterson (MN)
Poshard
Pryce (OH)
Radanovich
Ramstad
Riggs
Rogan
Rohrabacher
Royce
Salmon
Sanford
Schiff
Scott
Shadegg
Sherman
Smith (MI)
Smith, Linda
Talent
Thornberry
Tiahrt
Wamp
Weller
White
Whitfield
Young (FL)

NOES—329

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Baldacci
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burton
Buyer
Callahan
Camp
Campbell
Capps
Cardin
Castle
Chambliss
Chenoweth
Christensen
Clayton
Clement
Clyburn
Coble
Collins
Conyers
Costello
Cox
Coyne
Crapo
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Engel
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Ford
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goodling
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hefley
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
Lofgren
Lowey
Lucas
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKinney
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Morella
Murtha
Nadler
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Regula
Reyes
Riley
Rivers
Roemer
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thune
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
Wicker
Wise
Wolf
Woolsey
Wynn
Yates

NOT VOTING—7

Carson	Rangel	Young (AK)
Clay	Richardson	
Obey	Scarborough	

□ 1658

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 10 printed in House Report 105–4.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. BARTON OF TEXAS

Mr. BARTON of Texas. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

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

Amendment in the nature of a substitute offered by Mr. BARTON of Texas:

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

''ARTICLE —

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

''SECTION 2. This article shall be inoperative unless it shall have been ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

''SECTION 3. Election as a Senator or Representative before this Article is ratified shall be taken into account for purposes of section 1.''.

The CHAIRMAN. Pursuant to House Resolution 47, the gentleman from Texas [Mr. BARTON] and a Member opposed will each control 15 minutes.

The Chair recognizes the gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] and myself, who are proponents of the amendment, each control 7½ minutes, and the gentleman from Florida [Mr. CANADY] and a Member of the minority party in opposition, control their 15 minutes and be permitted to yield blocks of time.

Mr. CANADY of Florida. Mr. Chairman, reserving the right to object, I will claim the time in opposition to the amendment, and I will be happy to yield to those who wish to participate. I have no objection to the allocation of the time between the two proponents.

Mr. BARTON of Texas. Mr. Chairman, if the gentleman would yield, I am more than willing to yield all the time in opposition for the gentleman to control. I thought perhaps there might be a member of the minority that also wanted to control some of that time, but if obviously there is not, it is his time.

The CHAIRMAN. Does the gentleman from Texas want to revise his unanimous-consent request?

Mr. BARTON of Texas. Yes, Mr. Chairman. I would revise my unanimous-consent request and ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] control 7½ minutes and yield as he sees fit; that I control 7½ minutes in support of the amendment and yield as I see fit; and that the gentleman from Florida [Mr. CANADY] control the 15 minutes in opposition.

The CHAIRMAN. The gentleman from Florida already has his time.

Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. BARTON].

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

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

PARLIAMENTARY INQUIRY

Mr. DINGELL. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DINGELL. Mr. Chairman, prior to yielding myself time, I would inquire who is it that has the right, under the rule, to close?

The CHAIRMAN. The gentleman from Florida [Mr. CANADY] has the right to close.

Mr. DINGELL. Mr. Chairman, I yield myself 2 minutes.

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

Mr. DINGELL. Mr. Chairman, if Members believe in term limits, this is the amendment for them. Our existing system of term limits works splendidly. They are called elections and have resulted in a 75-percent turnover since 1990.

With the Committee on the Judiciary reporting House Joint Resolution 2 without recommendation, it is clear that there is no consensus as to how we should amend the Constitution, but a number of people, inside and outside the Congress, are in a desperate rush to see that such is done.

The House, under their fiat, shall amend the Constitution, do so quickly, without regard to the wide differences which exist amongst even the supporters of term limits.

There is a gigantic quibble taking place amongst the traditional supporters of term limits. They cannot decide whether it should be 6, 8, or 12 years for Members of the House. Should it be uniform amongst the States, or should the States choose for themselves? Should it include partial terms? Most importantly, should term limits count the service of those who have already served in Congress?

I would think that we should count current and past service. That is why I have offered a bipartisan amendment with my good friend, the gentleman from Texas [Mr. BARTON]. I want to salute him and commend him as not only a loyal friend, but as a vigorous and able proponent of this amendment.

The amendment would apply term limits immediately; not retroactively, but immediately, with regard to the service which Members have committed, and it would count every partial election. It would ensure that the turnover desired by term-limit proponents is given them now.

If this amendment is not passed, the proposal before us assures that the 7 years which it takes for ratification, plus the 12 years which is in the proposal, will give each Member 19 additional years, enough to qualify for their pension.

Now, why make term limits immediate? If the American people are angry at legislators, they are angry at today's legislators, not tomorrow's, and changing House Resolution 2 to make term limits immediate should make sure that we are not going to hold future legislators to higher standards than those to which we hold ourselves.

Our existing system of term limits all ready works quite well. They are called elections, which have resulted in a 75-percent turnover rate since 1990.

With the Judiciary Committee reporting House Joint Resolution 2 without recommendation, it is clear that there is no clear consensus on how to amend the Constitution to put term limits in place. Instead this effort seems driven by outside forces—which have determined that the House shall vote to amend the Constitution, do so quickly, and without regard to the wide differences that exist even among supporters of term limits.

There is a gigantic quibble taking place between the traditional proponents of term limits * * * shall they be 6 years, 8 years, or 12 years? Should they be uniform among all States, or should we let the States choose for themselves? Should they count partial terms?

And, most importantly, should term limits count the service of those of us who have already served in Congress?

I think we should count current and past service. That's why I have offered a bipartisan amendment with the gentleman from Texas that would:

Apply term limits immediately, not in a couple of decades.

Count every partial election.

Ensure that the turnover desired by term limits proponents is given to them now, not in as long as two decades.

Why make term limits immediate?

The American people are angry at today's legislators, not tomorrow's. Changing House Joint Resolution 2 to make term limits immediate will make sure that we do not hold future legislators to a higher standard than ourselves.

Opponents of immediate term limits say they fear the massive turnover. I suspect what they really fear is being part of that massive turnover. In fact, if term limits were effective for the 106th Congress, at least 123 Members would automatically be disqualified from service.

Among this list of 123—besides myself—are 19 cosponsors of House Joint Resolution 2,

who themselves will have served an average of 18 years—50 percent longer than they would allow future legislators to stay.

Without immediate term limits, all current Members can serve almost 20 more years, when you include up to 7 years for ratification by the States.

If we are for term limits, let's have them now. Vote "yes" on Dingell-Barton.

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

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

As currently drafted, House Joint Resolution 2 is prospective only. That is, service occurring prior to ratification of the amendment is not counted toward the 6-term limit. It is ironic that for the most part this amendment is held more dear by opponents of term limits than by supporters of term limits.

The gentleman from Michigan and the gentleman from Texas have been very candid in expressing their opposition to the concept of term limits. I appreciate their candor on this. But anyone who supports term limits should understand that this amendment is being offered by those who are opposed to term limits. I would ask the Members to consider that fact and to make their judgment accordingly.

With this amendment, we are far less likely to have an orderly process of transition in which people can adjust their expectations and move forward. In fact, this amendment that is being offered by the gentleman from Texas and the gentleman from Michigan has the prospect for causing enormous confusion.

Now, personally, the adoption of this amendment would not affect me in the least. I have imposed a limit on myself, and I will be gone from here in 4 years. While I am here, however, I am committed to passing term limits and moving to final passage on the measure that I believe can garner the most votes and that can be adopted by the States.

The amendment that is now before the House is being offered as an amendment that would detract from that effort. It is an amendment that is offered I think quite clearly with the purpose of derailing the effort to establish term limits for Members of Congress.

Now, it is instructive in weighing this amendment to examine how this issue has been dealt with by the 23 States that have imposed term limits on their congressional delegations prior to the Supreme Court decision in U.S. Term Limits versus Thornton. None, none of those laws counted service in Congress prior to the effective date of the State law in determining the number of additional terms that a Member could serve.

In 1991, the voters of Washington State defeated a ballot initiative that included a retroactive term limits provision. But in 1992, they approved a new term limits measure that would not apply retroactively.

Congress and the courts generally oppose retroactive legislation because it tends to create instability. It tends to deprive individuals and parties of reasonable notice and protection for their reasonable expectations.

The Constitution reflects this bias against retroactive laws by prohibiting both the Congress and the States from enacting any ex post facto laws. We need to keep in mind that we are amending the document which sets forth the basic framework of our government. History teaches us that ratifications become a permanent part of that document.

Under the Constitution, I think it is also important for us to understand, and under this proposal that is being considered now, 7 years is a maximum time period for ratification by the States. That is contained within the gentleman's proposal. Once the amendment is approved by the Congress and sent to the States, ratification may take place as little as 2 years from now, or it may never be ratified at all. Conceivably, it could be ratified in less than 2 years. Once ratified by the States, the amendment goes into effect and the 12-year clock begins to particular.

In other words, the time limit in the underlying text, like the time limit in all of the State-passed time provisions prior to the Thornton decision takes effect upon enactment. If it is ratified by the States in 2 years, it takes effect in 2 years. If it is ratified in 5 years, it takes effect in 5 years, and so on.

The argument that has been made here assumes that the full 7-year period that is allowed in the underlying amendment will be utilized. Well, that could happen, but that is not necessarily the case.

Mr. Chairman, I would urge Members to oppose this amendment and would again point out to all of the Members, if you are for term limits, you should not vote for this amendment. This is an amendment that is designed to derail the effort to enact meaningful term limits.

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

Mr. BARTON of Texas. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the gentleman from Florida mischaracterizes my position. I am not an opponent of term limits. I have opposed the provisions that restrict the House to three 2-year terms. I am a proponent of six 2-year terms, and I am also a proponent of letting the States take different positions, but I am not an opponent of the six 2-year terms. So he mischaracterizes my position. I would not be a supporter of this amendment if I did not believe in term limits.

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

Mr. DINGELL. Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan [Mr. CONYERS], my good friend, the ranking minority member of the committee.

Mr. CONYERS. Mr. Chairman, we have now come to a very curious part in the proceedings for today. All the term limits have been voted down overwhelmingly, and now this one is now presented by the Dean of the House, and we are told now that if Members are for term limits, then vote this one down too.

The gentleman says, this one should go down because it is retroactive, but if I heard Chairman DINGELL correctly, he said that it took effect immediately and is not retroactive. So I think that we should get this terminology straight now.

Now, why is this amendment derailing to the process of the people that support term limits? Can somebody explain that to me? That because the Dingell amendment suggests that it take effect immediately, that that is thought to be in bad faith? Why?

□ 1715

Perhaps, Mr. Chairman, the reason that the gentleman from Florida [Mr. CANADY] suggests that this is a derailing amendment is that many of the people who are supporting the base amendment, their time will have expired. Is that the reason we are accusing this amendment as being in bad faith? I do not quite follow this.

This amendment is, I think, issued in good faith. The only difference is that term limits would begin immediately, and not prospectively. I urge the Members' careful thinking and consideration.

Mr. DINGELL. Mr. Chairman, I yield myself 30 seconds, just to respond to what the gentleman from Florida had to say.

Mr. Chairman, term limits; if Members are for term limits and they really mean it and they want it to take effect immediately, this amendment is for them. If Members want term limits to take place in 19 years, 7 years for ratification, 12 years following, so that they can have a secure and happy career in this institution, then by all means oppose the amendment and by all means support the resolution as it is drawn.

Mr. Chairman, this is a real test of the sincerity of those who say they are for term limits. If Members are sincere, support the amendment. If they are not, oppose it.

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

Mr. Chairman, I would just point out the gentleman's amendment, the amendment we are considering now, might not be ratified for 7 years. So the idea that if we pass this here and they pass it in the Senate, all of a sudden we are going to have term limits, that is not so. It could take 7 years for that. That is just part of the process.

I have a question, Mr. Chairman. Let me ask the gentleman this. If the House and Senate propose this and send it to the States in the form the Members are suggesting, and the

States are considering it, and then on September 1 in the year 2000, when the 38th State ratifies your amendment, what would happen? What would happen?

We would have a situation in which elections had been taking place, primaries had gone on, qualifying and close, in the vast majority of the States, and candidates would be running for office. Your amendment would come into effect and there would be absolute chaos. Can the gentlemen tell me why that is not a prospect of what would happen under this amendment?

Mr. BARTON of Texas. Mr. Chairman, will the gentleman yield?

Mr. CANADY of Florida. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Chairman, first I would point out to the gentleman that under our amendment, retroactivity means that whenever—

Mr. CANADY of Florida. Reclaiming my time, Mr. Chairman, I would be happy to yield to the gentleman to explain the scenario I have just outlined and why that is not a problem. If he has a response on that, I am happy to yield to him.

Mr. BARTON of Texas. If the gentleman will yield, I will give him an explicit response. The term they are then serving would count, plus any prior terms would count. If that term you were in plus prior terms equaled six terms, you would not be eligible for reelection. You would be able to serve out that term.

Mr. CANADY of Florida. So, under that scenario, Mr. Chairman, individuals who had qualified under the laws of their States, individuals who had been nominated by their parties to stand for election, would stand disqualified as of that date, and there would be a wild scramble all over the country to fill in those slots. I do not think that is an orderly way to go about business. That is a flaw in the amendment that I suggest has not been adequately considered.

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

Mr. BARTON of Texas. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. POSHARD].

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Michigan [Mr. DINGELL]. I have taught history and government, and I have, perhaps, a different perspective on the stance of our forefathers. I believe when we take into consideration the totality of their beliefs, they unquestionably believed in the concept of the citizen legislator. I believe they felt we should train ourselves for a profession, we should leave that profession for a time and serve in the national assembly, and then we should exit here, allowing other people with different backgrounds, different experiences, different problem-solving skills, to bring that experience to the problem-solving of the Nation.

Because I believe in this concept so strongly, in 1988 when I ran for Congress, I said to those whom I sought to serve, if I am fortunate enough to be elected for five terms in the national assembly, I will at that point in time quit. This is my last term in the national assembly. I am thankful to have served here for five times.

But let me deal with this idea of experience, because I have heard it mentioned here on the floor several times today. Experience one gains here as a Member of this august body is certainly important, but the experience one brings here from one's chosen profession and experience is equally important. It is the latter experience that perhaps needs to be infused into this assembly on a more frequent basis than our present system allows.

Notwithstanding the wisdom of the author of this amendment and the great contribution that he has made to this assembly because of his experience, I believe, on balance, that our Government would better be served by a reasonable limit upon our service here, along the same lines we have chosen to limit other offices at both the State and Federal levels.

Mr. Chairman, I rise in support of the legislation before us to limit the terms of Members of the U.S. House and Senate.

I know this position puts me at odds with many of the very distinguished Members of this body, Members whose service has been very meaningful for our Nation. But as a former civics teacher who spent hours at the blackboard talking with my students about our system of government, I am convinced that our Founding Fathers had a citizen-legislature in mind when they designed our system. And they meant for us to be citizen-legislators, who would leave our profession for a time to serve in the national body, then return home as someone else made their contribution.

When I first decided to run for Congress, I decided that if the people of Illinois were willing to allow me to serve for five terms, or 10 years, that would be the limit of my service. I established a self-imposed 10-year term limit, and I will be leaving the Congress at the end of this session. I will miss serving the people here in Congress, but I am absolutely convinced it is the right decision for me, and the right decision for our system.

We need to make sure the system is open to teachers, small business owners, police officers, and retired folks who want to run for office and make a difference. Currently, with our fatally flawed system of financing campaigns, and with the advantages of incumbency, we draw from a very narrow pool of people who can realistically make a run for office. You either have to spend years working in the party structure, or else have a lot of your own money to spend, if you are serious about making a run for office. That is not the way it was meant to be.

Limiting the terms of Members will help us restore the concept of a citizen-legislature. Reforming our campaign finance system will be another step in returning the process to the people. Done in tandem, we just might be able to reverse the growing trend of cynicism regarding this great and honorable institution.

Voluntary term limits works for me, and I would encourage my colleagues to take a look at how that notion works within their own thoughts regarding service in the Congress. But until that becomes the rule rather than the exception, I believe we must act to constitutionally limit our terms.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. BLUMENAUER].

Mr. BLUMENAUER. Mr. Chairman, I strongly object to the characterization of this bill as an effort to derail term limits. My goodness, nobody could derail term limits more than the so-called proponents have done today. Item after item after item has bit the dust. This is the one chance to pass a piece of legislation that will in fact provide term limits.

There will be no chaos. We will have 2, 3, 4, 5, 7 years before it goes into effect, and then it will only impact people who have been here a dozen years, plenty of time for grown-ups to manage a transition. What this is about is to avoid the game playing that we have seen.

If Members believe in term limits, come forward with the distinguished gentleman from Michigan, vote for this, put it out, get rid of the professional politicians, and find out if that is what the American people want, find out if that is what the people here want. But for heaven's sakes, stop the game playing. Vote for the antihypocrisy amendment that is before us now. I strongly urge Members' support.

Mr. DINGELL. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, I rise today in support of the Dingell-Barton amendment, not as an ardent supporter of term limits, but as a supporter of fairness and truth and honesty. If we are going to pass a constitutional amendment on term limits for future Members of Congress, let us make sure it also covers current Members. Let it be immediate.

Some of my colleagues here in the House have had the opportunity to serve this body for 20 years or more. Many of them will be voting for a term limits amendment today, but not the Dingell-Barton amendment. Mr. Chairman, I ask these long-serving Members, if they believe in term limits why have they served for so long? Why do they not want this to apply to them? Why do you want it to apply only to the next generation?

Many proponents of other term limits amendments describe those of us who did not support those amendments with words such as ''arrogance'' and ''hypocrisy.'' I would say to them that the true arrogance is in support of term limits which are not applied immediately, and will allow them to serve 12 or 19 extra years on top of the 20 or so they have already served. If six terms is appropriate for future Members, then it must be applicable to those of us who are currently serving.

If we are to limit the fundamental rights of all Americans to elect their representatives, we should do it without a hint of the hypocrisy that suggests that term limits are good, but not now, and only for the next generation of Congress Members.

Mr. BARTON of Texas. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I am a little bit puzzled, as we get into this debate, about the use of the word ''hypocrisy.'' I am a sincere supporter of term limits. I think the Dingell-Barton amendment is the closest to the spirit of the people. In my town meetings and in my public meetings with constituents, they are very adamant that the problem they are attempting to solve is the problem of entrenched incumbency, especially Congressmen and Congresswomen who serve a long tenure in Washington and are out of touch with their constituencies.

The way to address that is through a retroactivity clause. Members can argue whether they want three 2-year terms in the House or six 2-year terms, or two 4-year terms, but I do not think they can argue this. If they support term limits, they should support that they be retroactive, so we can go at the problem immediately, which is incumbents who are out of touch. The Dingell-Barton amendment does that.

If it were to pass and be ratified, whenever it was ratified, anybody who had served 6 years prior to their current term or were in their sixth term would not be eligible for reelection immediately. It is that simple. It is a sincere attempt to address the problem the people want addressed, which is removing an entrenched incumbency that is out of touch in Washington, DC.

I believe that this amendment has an excellent chance to get a majority. I would encourage all my Republican friends who voted for the other term limit amendments to vote for this one, and I would encourage my friends on the Democratic side to support the dean of the delegation of the House of Representatives, the gentleman from Michigan [Mr. DINGELL] and support this.

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

Mr. DINGELL. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas, [Mr. BENTSEN].

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

Mr. BENTSEN. Mr. Chairman, two things. First of all, the gentleman from Florida characterized this amendment as being antiterm limit. To the 2 million people who live in the city of Houston, the fourth largest city in our Nation, retroactive term limits or term limits which are effective immediately are term limits. That is what they voted for in 1991. We have not seen the city of Houston fall into chaos as a result of it. The city of Houston is getting along just fine, thank you.

Second of all, if we look at the facts of the situation, the American people are already utilizing what is available to them. More than half of the Members of the House have served 6 years or less. Less than half of the Members have served more than 6 years, and a third of the Members have served more than 12 years, so every other bill we have voted on today would give Members a minimum of 13 years more. That is subterfuge. That is a fraud on the American people. This is the only bill that says we will have real term limits, that we will have them right now. That is what we ought to vote for.

If Members are for term limits, vote for the Barton-Dingell bill. If they are against term limits, then Members can vote for all the other bills.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute of my remaining 2 minutes to my distinguished friend and colleague, the gentleman from the great State of Texas and the city of Houston [Mr. GENE GREEN].

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

Mr. Chairman, I am proud to support this bipartisan amendment. I served 20 years in the legislature in Texas and only 13 in the State house and 7 as a State senator, but every election since I have been in Congress I have had an opponent, so I am not going to stand here and say that I think term limits are something that are that important, because I think the voters have a shot at us every time.

But if we are going to do it, let us be intellectually honest and say it ought to cover GENE GREEN on my 2 terms I have already served. If 12 years is a magic number, then I should only be able to serve 8 more years, if the voters continue to send me back.

□ 1730

That is why I think the Barton-Dingell substitute is the only one that is really intellectually honest, Mr. Chairman.

I would hope that a lot of Members would recognize that, along with the people out in the countryside who feel like term limits are necessary, that they would say, if 12 years is magic, in 12 years you should go home and do your job, something else, then that should apply to those of us who have served here 2 terms, three terms or 10 terms, and that way it would cover it. That is why I am proud to support the Barton-Dingell amendment.

Mr. BARTON of Texas. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I want to show my respects to the gentleman from Illinois [Mr. HYDE], the full committee chairman, and to the gentleman from Florida [Mr. CANADY], subcommittee chairman, for their efforts to bring some focus to this debate. I recognize the gentleman from Michigan [Mr. DINGELL], my good friend, for cosponsoring the amendment.

There is nothing magic about this. It is pretty straightforward. Term limits main purpose is to get entrenched incumbents out of office as quickly as possible so that there is turnover.

There is one better way to do that. That is to support retroactivity. If my colleagues support what their people support, vote for Dingell-Barton retroactive term limits and let us send it to the States for ratification, if the Senate goes along and sends it out with a two-thirds vote and the House of Representatives.

This is not a sham amendment. It is a serious amendment. It is a chance to get a majority vote, to be the vote on final passage. We need everybody who is for term limits to vote for it, and then we will beat the requirement for two-thirds on final passage.

I want to thank the Chair for his excellent handling of the proceedings in this part of the debate, also, the gentleman from Nebraska.

Mr. DINGELL. Mr. Chairman, I yield myself 1½ minutes.

I want to utter great respect for the distinguished gentleman from Florida who has handled this bill. I want to express my personal sorrow that he finds so few who are ready to stand with him in opposition to this amendment.

The amendment is very simple. It says that term limits take place immediately upon ratification of the States, not 19 years later. I believe that that is the way it should be. If we are really for term limits, then let us have term limits immediately. Let us not allow ours to remain around here in some cynicism, building our seniority, collecting seniority and eligibility for pensions. Let us just simply say that, if the people wanted term limits and they wanted them now, they should have them now.

I think that there is some arrogance on the part of any Member to go home and say how he is for term limits when in fact he is for term limits 19 years in the future, as it is under the legislation before us. Let us have term limits immediately. Let us not debase the proposition of term limits by deceiving the people that in fact there is going to be term limits but at some distant and indefinable future time. Let us have it immediately.

If term limits are good, they should in fact go into effect at the earliest possible time. That is the proper and the responsible vote. Vote for term limits now. Do not vote for term limits in the future. If we are really for term limits, let us have them now, not at some distant and obscure time in the foggy future.

Mr. CANADY of Florida. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I will not utilize all the time because I think we have exhausted this. I will note that there have not been many Members who have spoken against this amendment, but there were 287 Members who voted against this amendment in the last Congress. I fully expect that we will have about that many voting against it. We will find out in a few moments.

The vote on the amendment in the last Congress was 135 in favor and 287 against. I think that is some indication that this may not be the most viable means for actually moving forward with term limits.

It might be desirable to move up the effective date, concede that argument to the gentleman. I do not think that is necessarily true. Certainly the way this amendment is formulated it will cause great, potentially great confusion because we could have a situation in which the amendment was ratified and became effective right in the middle of an election cycle when candidates who had already been nominated for office when qualifying had closed, those candidates would be thrown out as candidates, the whole electoral system would be up in the air.

That has happened to a certain extent in certain States because of things Federal courts have done. I do not think that is the kind of confusion that we should allow for in a constitutional amendment. I think that is a serious flaw of this amendment.

Mr. BENTSEN. Mr. Chairman, will the gentleman yield?

Mr. CANADY of Florida. I yield to the gentleman from Texas.

Mr. BENTSEN. Mr. Chairman, let me assure the gentleman that he can survive the confusion when the courts do it.

Mr. CANADY of Florida. Reclaiming my time, Mr. Chairman, the other point that I will make is that, when the people in the States have dealt with this issue, they have not seen fit to impose this sort of requirement that the sponsors of this amendment seek to impose. As a matter of fact, as I said earlier, when this issue was dealt with by the 23 States that imposed term limits on their congressional delegations prior to the Supreme Court decision in U.S. Term Limits versus Thornton, none of those States counted service in Congress prior to the effective date of the State law in determining the number of additional terms that a Member could serve.

The fact that the people in those States did not view this as such an overwhelming issue, I think, is instructive to us. I think the people in their wisdom understood that it would take some time to make adjustments and to not disrupt the legitimate expectations of people so that we could have an orderly process of transition. That is what the people have done.

I would simply suggest again that, although I respect the intention of the gentlemen who are offering this amendment, I think it is unfortunate that the word ''hypocrisy'' has been bandied about out here. That is not a word I would use with respect to any proposal or certainly any Member. I think the intention of the gentleman from Michigan and the gentleman from Texas is very honorable. But I believe that the way we are going to move forward with enacting term limits is not through this amendment.

I believe that the adoption of this amendment would effectively derail this effort. The fact of the matter is, that is shown by the vote in the House 2 years ago when only 135 Members supported this amendment. So if Members are serious about term limits, they should focus on these facts and seriously consider what will be effective and what will work.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. CANADY of Florida. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, is the gentleman suggesting in his recent discourse that most of the voters that want term limits would be unhappy with the immediacy provision that the Dingell amendment provides?

Mr. CANADY of Florida. Reclaiming my time, Mr. Chairman, I think that the voters would not be pleased with the potential disruption and disorder that could be caused by the adoption of this amendment. Again, I point to the experience in the States where, in the initiative process, where the people were deciding in many cases the form of the amendment that they would place on the ballot in those individual States, they did not provide for the sort of retroactivity that is provided for in this amendment.

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

Mr. CANADY of Florida. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, I thank the gentleman for yielding. He has been very gracious in conducting a very fine debate here.

I would just observe that during the time that the States prepared their ratification, Members could, of course, prepare for the consequences of the amendment on which we are now voting. In other words, if it took 7 years for the States to ratify, Members could have 7 years during which they could run, during which they could make arrangements to seek other office, during which they could make arrangements for their retirement. There is no disorder here. We have the period between the time that the House and the Senate passed the legislation and the time that it is ratified by the States.

Mr. CANADY of Florida. Reclaiming my time, Mr. Chairman, I will knowledge that Members could adjust their expectations based on the possible adoption of the amendment. The fact of the matter is, this amendment could be ratified in the middle of an election season and cause disruption because if it went to the States, the disposition in the States would remain uncertain for a period of time, I would expect. Once ratified, it would become effective immediately and candidates who had been nominated, who had qualified, were standing for office, would be thrown out of contention for office and the whole electoral process could be thrown up into question.

Quite frankly, I do not think that is the sort of result that the gentleman from Michigan would intend, but the amendment is not drafted in a way that takes that possibility into account. I think it is flawed in that regard. But, again, I make the point that when the people have considered this issue in the various States, they have not adopted a provision such as that as suggested today. I believe that the purpose of advancing term limits will be advanced by the rejection of this amendment.

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

Mr. CANADY of Florida. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, my friend from Florida, who has been very responsible here, has one error in his reasoning. He keeps averring to the fact that the public in their referenda rejected this. But the public in their referenda have generally voted for 6 years so the gentleman, if he is going to invoke the moral influence of the referenda, then he cannot argue for his 12-year position. It is true, referenda have said, do not make it retroactive, but they have also said overwhelmingly 6 years. What is the referendum, something you can turn on and off like a faucet?

Mr. CANADY of Florida. Reclaiming my time, Mr. Chairman, the States have adopted different limits in different States. In my own State of Florida it was 8 years and 12 years. I voted for it. I voted for the 8 year and the 12 year. I have supported that throughout the process.

Mr. FRANK of Massachusetts. Mr. Chairman, if the gentleman will continue to yield, he is speaking in favor of a 12-year limit.

Mr. CANADY of Florida. Reclaiming my time, Mr. Chairman, I think it is apparent that this is not an amendment that is going to be effective in advancing the movement to establish term limits. I will not talk about Members' motivation. I think that the effect of this is what we should be concerned about. That effect is obvious.

Mr. FRANK of Massachusetts. Mr. Chairman, if the criterion is who is being ineffective in advancing term limits, the gentleman's side wins.

Mr. MCCOLLUM. Mr. Chairman, will the gentleman yield?

Mr. CANADY of Florida. I yield to the gentleman from Florida.

Mr. MCCOLLUM. Mr. Chairman, the bottom line is that a vote for this amendment is going to get us less votes on final passage for term limits. It is going to set back the cause of term limits. There are going to be fewer Members voting for it and a no vote is what we should have.

Ms. JACKSON-LEE of Texas. Mr.Chairman, earlier today we heard arguments from Members of Congress from Arkansas, from Colorado, from Idaho, from Missouri, from Nebraska, from Nevada, and from South Dakota. Each of the Members from these States made passionate arguments of why we should adopt their individual States' versions of term limits.

They each asked us to adopt these individual versions so that they would not have to go

back to their States and tell their constituents that they did not support the version of term limits that the people of their State required them to support.

It is evident that we can not adopt all of these different versions of an amendment to the Constitution.

Mr. Chairman, I have a compromise that will not only satisfy the concerns of Arkansas, Colorado, Idaho, Missouri, Nebraska, Nevada, and South Dakota. My compromise amendment speaks to the concerns of all Americans who either support or do not support term limits.

We can send to the States a single amendment in the form of a resolution which would satisfy the concerns of each of the States.

Mr.Chairman, this motion to recommit, House Joint Resolution 2, allows each State of the people thereof, to proscribe the maximum number of terms to which a person may be elected to the Senate or House of Representatives.

It is an amendment which gives power to the States from which each of us comes, to decide for themselves whether they want to limit the number of terms that a Member of Congress may serve and if so, what the maximum number of terms the States want to prescribe.

There is no doubt that we should not be in the business of limiting the choice of the American people. We should be inclusive and not place limitations on the ability of the American people to vote for the Congressperson of their choice.

However, if there is to be a decision as to who will prescribe the maximum number of terms which a person from a particular State may serve in the House or Senate, then the States are in a better position to make this decision on behalf of the residents of that State. The States must decide for themselves the maximum number of terms that a Member of Congress from that particular State should serve, not Congress. This fundamental change in the framework of the Constitution must come from the individual States that combine to make the United States of America. Our "more perfect Union" is a Union of the States, not a Union of the Congress.

The Supreme Court, in U.S. Term Limits, Inc. versus Thorton, has made it clear that, without an amendment to the Constitution, the States do not have the authority to impose term limits on Members of Congress. Consequently, now that we are in the amendment phase of crafting a solution to the issue of term limits, the argument can be made that this is a power that should be given to the States because of the inherent local interest of the people in a particular State to have effective representation.

Currently, the States are prepared to make this decision. No less than 23 States passed proposals affecting the terms of Members. It is evident that the people of these States know what the best course of action for their State.

If we are to have an amendment which limits the terms of Members of Congress,then we should allow the States to be equal partners in that decisionmaking process. While we are a body of national sovereignty, the sovereignty of the States must not be ignored. We must not dictate to the States the parameters by which elected officials in each State will serve their constituency. The sovereignty of each individual State cries out to be included in this fundamental process of representation.

I urge my colleagues to support this amendment in the nature of a substitute to House Joint Resolution 2 and allow the States to decide the maximum number of terms that a Member in the House or Senate may serve.

Mr. PORTER. Mr. Speaker, I rise in opposition to the resolution and the amendments thereto.

I do so because I believe that term limits are a poor substitute for real solutions to the problem of noncompetitive elections. I support a number of initiatives to achieve the same goals as the amendment without limiting voters' ability to support the candidate of their choice.

I strongly support limiting the amount of time a Member may serve as a committee or subcommittee chair. I believe that congressional gridlock, porkbarrel spending, and logrolling is largely rooted in the inner power circles of the institution and the domination of the legislative process by entrenched committee and subcommittee chairmen. In the past, certain individuals have served as the head of a particular committee or subcommittee or subcommittee for decades.

At the beginning of the 103d Congress, I succeeded in having a 6-year committee and subcommittee chairmanship limitation included in the substitute House rules package proposed by the then minority Republicans. Unfortunately, this substitute was defeated on a largely party-line vote.

On the first day of the 104th Congress, however, the House passed this limitation and included an 8-year limit on the tenure of the Speaker. This rule also applies in the 105th Congress as it was retained in the package we adopted on January 7. By preventing any one individual from controlling a committee for more than 6 years, this important reform will have much the same effect as an overall term limit provision. And it has been adopted and is in effect now without amending the Constitution. It will go far to take the weight out of seniority and ensure that the committees are continually energized with new leaders and fresh ideas.

This provision will affect me personally. I became chairman of the Appropriations Subcommittee on Labor, Health and Human Services and Education at the beginning of the 104th Congress, but I will be ineligible to serve in that capacity after the 106th Congress.

In my opinion, we must also ree÷xamine the method by which we draw congressional districts in order to solve the problem of noncompetitive elections. Congressional districts are frequently drawn in order to be politically safe for one party or the other. That is, they are drawn so that they are overwhelmingly populated by either Democrats or Republicans. As a result, it is difficult for a challenger from the other party to get elected. In my opinion, our election laws should better take into account the need to encourage competitive districts.

This issue, and other problems with the electoral process, must be considered by Congress as part of a legislative and election reform package. I strongly supported the effort to enact campaign finance reform legislation during the 104th Congress and was disappointed by the failure of Congress to adopt such legislation.

Many elections have become big business for political consultants who market candidates in a way which ignores important issues and turns off large segments of the electorate. I support the enactment of legislation to curtail contributions from political action committees [PAC's], promote small instate contributions, and close numerous loopholes in current law which allow independent expenditures and the use of so-called soft money. I also believe we should strongly consider establishing campaign spending limits that are low enough to squeeze the professional marketers out of our election process and force candidates to return to elections characterized by active personal campaigning, volunteer participation, and attention to the issues.

Even in the absence of term limits, turnover in the House remains fairly high. In the past 10 years, about two-thirds of all Members of Congress have been replaced, and over half the Members of the House have served less than 5 years. I support measures to level the playing field for challengers without changing the Constitution or limiting the choices available to American voters.

The CHAIRMAN pro tempore (Mr. BARRETT of Nebraska). The question is on the amendment in the nature of a substitute offered by the gentleman from Texas, [Mr. BARTON].

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

RECORDED VOTE

Mr. BARTON of Texas. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 152, noes 274, not voting 7, as follows:

[Roll No. 20]

AYES—152

Armey	Eshoo	McCrery
Barcia	Etheridge	McHugh
Barrett (WI)	Farr	McIntosh
Bartlett	Fattah	McIntyre
Barton	Forbes	McNulty
Bentsen	Fox	Meehan
Berman	Frank (MA)	Minge
Bilbray	Franks (NJ)	Moakley
Blagojevich	Furse	Moran (KS)
Blumenauer	Ganske	Moran (VA)
Bonilla	Gekas	Myrick
Bonior	Gibbons	Neal
Boswell	Goode	Neumann
Boucher	Graham	Ney
Brady	Green	Olver
Brown (OH)	Gutierrez	Pascrell
Bryant	Hall (OH)	Paul
Burr	Hall (TX)	Peterson (MN)
Calvert	Harman	Petri
Campbell	Hefner	Pomeroy
Cannon	Hill	Poshard
Chabot	Hinchey	Pryce (OH)
Clyburn	Hoekstra	Radanovich
Coble	Holden	Reyes
Coburn	Hoyer	Rogan
Combest	Jackson-Lee (TX)	Royce
Condit	Johnson, E. B.	Sabo
Cook	Jones	Sanchez
Cooksey	Kilpatrick	Sandlin
Cox	Kim	Sanford
Cramer	Kind (WI)	Schiff
Crane	Kleczka	Scott
Cunningham	Klug	Sensenbrenner
Danner	LaFalce	Shadegg
Davis (FL)	Lampson	Sherman
Davis (VA)	Lantos	Shimkus
Deal	Largent	Sisisky
Delahunt	LaTourette	Slaughter
DeLay	Lewis (KY)	Smith (MI)
Deutsch	LoBiondo	Smith, Adam
Dingell	Lofgren	Souder
Doggett	Luther	Spratt
Ehlers	Maloney (CT)	Stearns
Emerson	Manzullo	Stupak
Engel	Markey	Talent
Ensign		Tanner

Taylor (MS)
Taylor (NC)
Thornberry
Thurman
Tiahrt
Tierney
Towns
Turner
Upton
Waxman
Weldon (FL)
Weller
Wexler
Whitfield
Wise

NOES—274

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Baldacci
Ballenger
Barr
Barrett (NE)
Bass
Bateman
Becerra
Bereuter
Berry
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bono
Borski
Boyd
Brown (CA)
Brown (FL)
Bunning
Burton
Buyer
Callahan
Camp
Canady
Capps
Cardin
Castle
Chambliss
Chenoweth
Christensen
Clayton
Clement
Collins
Conyers
Costello
Coyne
Crapo
Cubin
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Dellums
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
English
Evans
Everett
Ewing
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Ford
Fowler
Frelinghuysen
Frost
Gallegly
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Granger
Greenwood
Gutknecht
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hilliard
Hinojosa
Hobson
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kucinich
LaHood
Latham
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
Lowey
Lucas
Maloney (NY)
Manton
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDade
McDermott
McGovern
McHale
McInnis
McKeon
McKinney
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Molinari
Mollohan
Morella
Murtha
Nadler
Nethercutt
Northup
Norwood
Nussle
Oberstar
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Riggs
Riley
Rivers
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Salmon
Sanders
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Serrano
Sessions
Shaw
Shays
Shuster
Skaggs
Skeen
Skelton
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Spence
Stabenow
Stark
Stenholm
Stokes
Strickland
Stump
Sununu
Tauscher
Tauzin
Thomas
Thompson
Thune
Torres
Traficant
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (PA)
Weygand
White
Wicker
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOT VOTING—7

Carson
Clay
Obey
Richardson
Scarborough
Solomon
Young (AK)

□ 1800

Mr. HERGER changed his vote from ''aye'' to ''no.''

Mr. COX of California and Mr. WAXMAN changed their vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Mr. MCCOLLUM. Mr. Chairman, in order to shorten the time that we have in here, I ask unanimous consent that the gentleman from Michigan [Mr. CONYERS] and I both be permitted to strike the last word one time.

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

There was no objection.

Mr. CONYERS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I hope the Speaker is satisfied now. He promised that the first thing we would vote on would be this constitutional amendment. I trust he is satisfied that he has made us do that.

And so now we gather here this evening, the only thing left is the McCollum amendment which would allow all of us to serve for almost two decades before it would take effect. And in an amazing act of inconsistency, the term limits supporters have just voted down the Dingell amendment, the only substitute, and with that vote said that term limits should not apply to any sitting Member for about 19 years. Great work.

As it has been said eloquently so much by the chairman of Judiciary, like the famous prayer of St. Augustine who said, ''Dear God, make me pure, but not now.'' When an eight-term Member of the other body can claim to support term limits, I think we have a little problem about credibility. The proponents of this measure want it, but do not want it to apply to themselves.

So we voted down, with the highest vote of the day, by 152 votes, the one unhypocritical amendment on this subject. But we have also voted down seven of the almost same identical amendments all day long. We have made a mockery of this process.

The problem is that term limits are no longer an issue to the public. Do you not get it? Two-thirds of the Members here have not been here three terms. That is why it is not working here. That is why nobody is worried about it anywhere that used to be worried about it. In the last 6 years, we have had a nearly two-third turnover in the House. There is simply no remaining rationale for term limits.

But term limits does not create jobs, increase our standard of living, deal with the campaign finance scandal. And so if the majority, if the Speaker were really interested in dealing with the advantages of incumbency, as he says he is, we would be voting on campaign finance reform, not term limits, as the very first measure that we consider in the Congress.

I have not quoted Robert Novak recently, but he states that, you read it, ''This reveals the hypocrisy underscoring the avowed support of term limits by congressional Republicans. Like their Democratic counterparts who frankly and honestly oppose the limits, the Republicans are professional politicians who enjoy the good life in Washington.'' That is a quote.

I am still bipartisan. This proposal has not been sincere from the beginning, with supporters of it not wanting to apply it as late as the year 2016 rather than right now.

Now, me, I oppose hypocritical term limits and unhypocritical term limits. I oppose all term limits. And so I would ask that all of us here at the close of this debate join in finally rejecting the base bill that will now be voted on offered by my friend the gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Chairman, I move to strike the last word.

I would like to address the body about where we are at this moment. We are about to take a vote on final passage of the underlying bill, House Joint Resolution 2, and the way that is going to happen is that I am not going to offer the amendment that I have, the substitute amendment, because no amendment that was proposed today received the 218 votes to supplant the underlying bill or to require us to offer the underlying bill as an amendment. And so this is the last debate we are going to have today on the question of term limits.

What we are talking about voting upon in a moment is the one proposition that for the foreseeable future has any chance of ever becoming a part of the Constitution of the United States to limit Members of the House and Senate. It will be only the second time Members will get to cast a vote in the history of this country on term limits and have it mean something.

In the last Congress, we had this vote on this precise 12 years in the House, 12 years in the Senate, and there were 227 Members of the House who voted for it. I am a little fearful today we may not get 227 because of the State initiatives that were on the ballot in 9 States that we know resulted in a series of 7 extra votes here today.

But I think we should point out a couple of things at this point in time. Not a single proposal today on the floor of the House for 6 years or 8 years or allowing the States the option of deciding the number of years that we would have for term limits received 100 votes. Not a one got 100 votes. I believe there are far more than 200 Members, I think there are far more than 227 Members in this body who are for term limits, and if they had their free will and did not have the scarlet letters to be put beside their name in these 9 States

if they voted for this 12-year proposal on final passage, they would vote for this and we would have well over the 227, though we would fall short of the 290 supermajority required to pass a constitutional amendment.

Why is this important? It is very important because term limits is important, because better than 70 percent of the American people still believe, as they have for years, that we ought to limit the length of time Members of the House and Senate serve. It is important because they understand, as we should, that only by voting for this term limits proposal today and in the future getting it into the Constitution can we ever alter the problem that besets this body and the other of too many of our Members too often, too frequently voting because they are concerned about being reelected and because of the interests they are trying to please rather than for the deliberative process and the good of the country as a whole, which I think most of us come here with that in mind to do. It is not an affliction of each and every vote, but it is an affliction all too often.

I think it has been best described in The Last Word column that I commend to all Members to read in this week's Newsweek Magazine by George Will. It is an excellent column both on the reason why we need term limits and also on the reason why the U.S. Term Limits effort in these States' initiatives is going to cause indigestion and probable defeat for this for a long time to come if they get their way.

It is also important to respond to the critics who say, well, there are some of us who do not ever want to really see it, or we have had a lot of turnover anyway; three-quarters of the body have turned over in the last couple of years.

It is true, we have had good turnover, but the problem is that for those who stay here, the power rests with them. We all know we will always have some version of a seniority system in every legislative body and those who stay here and do not turn over are the ones who have the power as chairmen of committees and the leadership. The only way that we can limit that power, the only way that we can end the careerism that is the orientation of all too many Members who come here is by passing a constitutional amendment to limit the terms of Congressmen. And the only one that has the power and a chance of passage in this body and the other body any time into the foreseeable future is the one that I am proposing today that we are about to vote on. That is 12 years in the House and 12 years in the Senate, six 2-year terms in the House, two 6-year terms in the Senate.

□ 1815

Mr. Chairman, in the strongest of terms, if in my colleagues' conscience they can get away with it in any way to avoid those State initiatives for anyone who supports term limits, I urge them to vote for it. This should not be the last vote on term limits. History should not record that we only had two Congresses, the 104th and the 105th, that voted on it. History should record that we made progress with every Congress through the 104th, the 105th, the 106th and whatever is necessary until that 290 votes were reached in the House and 67 in the Senate and that ultimately this body and that body of the other body passed a term limits constitutional amendment and sent it to the States for ratification. It is what the public wants, it is the right thing to do, it is what our Founding Fathers, if they were here today, would want us to do to keep balance proper in this country and to let us vote our consciences the right way as the greatest deliberative body in the world.

So I urge my colleagues to vote for the term limits, 12-year provision, the underlying bill, on final passage.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. There being no further amendments, under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. UPTON] having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the House Joint Resolution (H.J. Res. 2) 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, pursuant to House Resolution 47, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

Mr. McCOLLUM. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 217, nays 211, not voting 6, as follows:

[Roll No. 21]

YEAS—217

Aderholt
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Berry
Bilbray
Bilirakis
Blagojevich
Boehner
Bonilla
Bono
Boswell
Brady
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeFazio
Deutsch
Diaz-Balart
Doolittle
Doyle
Dunn
Ehlers
Emerson
English
Ensign
Eshoo
Everett
Ewing
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Furse
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gingrich
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Horn
Houghton
Hulshof
Inglis
Istook
Jenkins
John
Johnson, Sam
Jones
Kasich
Kelly
Kim
Kind (WI)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (KY)
Linder
LoBiondo
Lucas
Luther
Maloney (CT)
Manzullo
Mascara
McCollum
McCrery
McIntosh
McIntyre
McKeon
McNulty
Meehan
Metcalf
Mica
Miller (FL)
Minge
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Packard
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Pitts
Pombo
Portman
Poshard
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reyes
Riggs
Riley
Rogan
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Sanford
Saxton
Schiff
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
White
Whitfield
Wolf
Young (FL)

NAYS—211

Abercrombie
Ackerman
Allen
Andrews
Archer
Baesler
Baldacci
Barrett (WI)
Bateman
Becerra
Bentsen
Berman
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Bonior
Borski
Boucher
Boyd
Brown (CA)
Brown (FL)
Capps
Cardin
Chenoweth
Christensen
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Crapo
Cummings
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
DeLay
Dellums
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Dreier
Duncan
Edwards
Ehrlich
Engel
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gilman
Gonzalez
Green
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Hooley
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
King (NY)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin

Lewis (CA)	Olver	Shays
Lewis (GA)	Ortiz	Sisisky
Lipinski	Owens	Skaggs
Livingston	Oxley	Skeen
Lofgren	Pallone	Skelton
Lowey	Pappas	Slaughter
Maloney (NY)	Parker	Smith (NJ)
Manton	Pastor	Snyder
Markey	Payne	Spratt
Martinez	Pelosi	Stabenow
Matsui	Petri	Stark
McCarthy (MO)	Pickering	Stenholm
McCarthy (NY)	Pickett	Stokes
McDade	Pomeroy	Strickland
McDermott	Porter	Stupak
McGovern	Price (NC)	Tanner
McHale	Rahall	Tauscher
McHugh	Rangel	Taylor (MS)
McInnis	Rivers	Thompson
McKinney	Roemer	Thune
Meek	Rogers	Thurman
Menendez	Rothman	Tierney
Millender-McDonald	Roukema	Torres
	Roybal-Allard	Towns
Miller (CA)	Rush	Velazquez
Mink	Sabo	Vento
Moakley	Sanchez	Visclosky
Molinari	Sanders	Waters
Mollohan	Sandlin	Watt (NC)
Moran (VA)	Sawyer	Waxman
Morella	Schaefer, Dan	Weygand
Murtha	Schaffer, Bob	Wicker
Nadler	Schumer	Wise
Neal	Scott	Woolsey
Northup	Sensenbrenner	Wynn
Oberstar	Serrano	Yates

NOT VOTING—6

Carson	Obey	Scarborough
Clay	Richardson	Young (AK)

Mr. CAMP changed his vote from ''nay'' to ''yea.''

So (two-thirds not having voted in favor thereof), the joint resolution was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CANADY of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 2.

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

There was no objection.

ELECTION OF MEMBERS TO COMMITTEE ON SMALL BUSINESS

Mr. CANADY of Florida. Mr. Speaker, I offer a resolution (H. Res. 52) and I ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 52

Resolved, That the following named Members be, and they are hereby, elected to the following standing committees of the House of Representatives: Committee on Small Business: Mr. Hill, and Mr. Sununu.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CAMPAIGN FINANCE REFORM SHOULD BE A TOP PRIORITY

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

Ms. SLAUGHTER. Mr. Speaker, in this past election season spending levels for Federal elections shattered all previous records, at nearly $2 billion. The President and our leadership met yesterday and agreed on five priority items for this Congress, but guess what was missing? Campaign finance reform.

Let me make a suggestion. As David Broder noted in today's Washington Post, the reason campaigns are so expensive is because television advertising costs so much. That is why I have reintroduced H.R. 84, the Fairness in Political Advertising Act. It would reduce the cost of elections by requiring television stations to make free time available to both candidates as a condition of the stations renewing their licenses, and I urge my colleagues to join me on this bill.

I challenge the leadership to make campaign finance reform a priority and to enact the Fairness in Political Advertising Act. Democracy should not cost $2 billion.

Mr. Speaker, I am submitting the article referred to earlier for inclusion in the RECORD:

[From the Washington Post, Feb. 12, 1997]

A TV TIME BANK FOR CANDIDATES

(By David S. Broder)

When you're trying to figure out one of those interlocking wooden puzzles, sometimes it helps to turn it upside down. That is what happened to me one morning recently when I had breakfast with Reed Hundt, the chairman of the Federal Communications Commission.

The topic was campaign finance legislation—or so I thought. But when I remarked that the history of campaign finance laws and regulations was fraught with unintended consequences, Hundt immediately corrected me. ''We're not talking about campaign finance legislation.'' he said. ''We're talking about giving candidates and voters more access, and these measures have almost always succeeded. The Voting Rights Act has been a success. The provisions that allowed presidential debates have worked.''

Hundt's point was this: For decades, the campaign finance debate has focused on the source and volume of funds—the supply side of the problem. Government has attempted to regulate who could give (and who could not), the size of their contributions and, to the extent the courts allowed, the amount candidates could spend.

Hundt suggested that we turn the problem around by asking where the money goes and whether that cost can be reduced, i.e., examine the demand side of the equation.

The answer is obvious. Most of the money goes into buying television ad time. Campaigns are expensive because television costs so much.

In 1996, Hundt encouraged former Washington Post reporter Paul Taylor's foundation-financed campaign to persuade television and cable operators to make small blocks of free time available to the presidential candidates. Taylor had some success, but never got the broadcasters to agree on a single time when all viewers would find the candidates talking directly to them.

Now Hundt is promoting a radical expansion of Taylor's ''free time'' proposal. He thinks broadcasters should be required to donate almost $2 billion worth of commercial time to a ''political time bank'' that would be available free to candidates for federal and state office.

That sounds like a huge burden to impose, but Hundt points out that the estimated $1.8 billion of paid political ads in the 1995–96 election cycle was only 2.5 percent of the television ad revenue in that period.

He also noted that, under a law passed last year, the government is about to hand broadcasters a gift of incalculable value in the form of a new spectrum of digital TV channels which can be used for movie theater-quarterly programs or for a wide variety of other high-fidelity communications.

Last week, Hundt's longtime friend, Vice President Al Gore, made that point a matter of administration policy—without endorsing Hundt's specific proposal. ''Digital technology,'' Gore said, ''will greatly enhance the opportunities available to broadcasters to utilize multiple channels. The public interest obligations should be commensurate with these opportunities.''

Hundt has found one ally high up in the broadcasting industry. Barry Diller, who has been a key player for years and now heads his own company that controls a number of TV stations and the Home Shopping Network, told an industry convention in New Orleans last month that in return for the gift of the new digital TV spectrum, ''I propose that we take sole responsibility for the cost of airing all political advertising messages for all government candidates and to use this lever as the impetus to abolish all forms of the current system of political contributions.''

Diller conceded that it ''would cost us over a billion dollars in lost revenue'' in the peak year of each election cycle. ''But,'' he added, ''it would also radically change the nature of our rotten political fund-raising system.''

Advocates of some campaign finance bills are considering a way to incorporate the ''free time bank'' into their proposals. Taylor will hold a conference on the subject in Washington next month. But he and Hundt both concede this is not a panacea.

Important policy and administrative issues would remain: Could independent groups buy time for ''education'' or ''independent expenditure'' campaigns? Who would divvy up the ''time bank'' among the thousands of Democratic and Republican candidates in each election? If the national parties controlled the time, how would dissident or maverick Democrats and Republicans fare? And how would minor parties be protected in the allocation of time?

These are all important questions. But this proposal offers a way to reduce the costs of campaigns drastically by eliminating or greatly slashing the expense of television advertising. It deserves to be part of the coming debate.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SNOWBARGER). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

TRIBUTE TO JANE CLAYTON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PAPPAS] is recognized for 5 minutes.

Mr. PAPPAS. Mr. Speaker, for the past 16 years, the residents of Monmouth County, NJ, have had the great fortune to have Jane Clayton serving as their county clerk. Day in and day out Jane has brought the highest degree of professionalism to this office. Jane's community service and involvement spans over 3 decades and has touched too many people to count. Aside from her service as county clerk, she had been a county freeholder and served on numerous boards and counsels.

It would take hours to list the numerous activities that Jane has given her time to over the past 30 years, so while I will attempt to touch upon just a few. She has served on the Monmouth County Criminal Justice Coordinating Council, County Detention Center's board, County Planning Board, County Election Commission, board of directors of the County Council of Girl Scouts, and the board of directors of the county United Way, to name just a few.

The businesslike approach to government that we in Congress strive to bring to the Federal Government, Jane Clayton has brought to the office of county clerk. To Jane, the people of the county are customers and her goal has been to bring the highest degree of service to these customers. She treats the taxpayers' money as she would her own. She has rooted out waste in her office and, by all accounts, has made it a model for others to follow. Washington could learn a lot from Jane Clayton.

Today, the public's perception of public servants has become tarnished due to scandals and back-door deals. If everyone in public office had the professionalism and high ethical standards that Jane Clayton does, I am sure that public office holders would be held with only the highest regard. She is admired and respected both as a public servant and person.

The quality of Jane's work has not gone unnoticed over the years. Several organizations have recognized her outstanding service and efforts by choosing her as their woman of the year. The March of Dimes, Zonta International, Association of Retarded Citizens, Big Brothers/Big Sisters, the County Council of Girl Scouts and the Monmouth County Fireman's Association are just a few of the groups that have recognized what so many of us see on a daily basis.

During my time as a county freeholder, I remember that Jane used to send around calendars with the history of the U.S. flag. Jane has an unyielding desire to share her knowledge with others and this was just one small example.

More than a public servant, Jane has been a devoted mother and grandmother. I often wonder how she finds all the time while doing everything so well. Often it is said that you cannot be everything to everyone, but if there was someone who came close, it would be Jane Clayton.

The legacy of Jane Clayton will not go forgotten. How appropriate that the archive record retention center in Manalapan Township which she helped create will serve as the ideal place to record her own years of service as well as the service of so many others in the county of Monmouth.

We are sad to lose Jane in the clerk's office and wish her well. The standard that she has set over the past decade and a half will be the bar for all future clerks to reach for.

I guess the greatest accomplishment that anyone in public service can have said about them is that they have made a difference. Jane, you have made a difference, in our county and in our lives.

I join the people of Monmouth County in thanking the Honorable Jane Clayton, my friend and colleague, for her service.

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to honor a good friend and great public servant—Monmouth County Clerk Jane Clayton—who just recently retired from her position after 16 years of dedicated service.

Monmouth County, NJ, has had the great benefit of having Mrs. Jane Clayton as our county clerk from 1980 to just a few weeks ago. Jane took that office and transformed it into the fiscally conservative success that it is today—all the while ensuring that our rich history and record of efficient services remains intact for our children, grandchildren, and their children to enjoy.

Before serving Monmouth County as clerk, Jane was a county freeholder in the late 1970's. She has held a variety of offices before county clerk—including serving on the boards of the County Criminal Justice Coordinating Council, the County Detention Center, the County Planning Board, and the Monmouth Museum Board of Trustees.

Over the years, Jane and I have worked on countless projects together. Particularly momentous to both Jane and me was the unique effort between the county and Federal levels of government to acquire an absolutely beautiful mural of the Battle of Monmouth for the headquarters of the Monmouth County Library. This project was especially important, as the Federal Government rarely works with an individual county to provide them with such things as the artwork that we now have in Monmouth County.

Jane has also been successful in getting modern technology to improve the records system for the county archives. As Monmouth County was host to Revolutionary War Battles—such as the Battle of Monmouth—we have a wealth of history that needs to continue to be available for all who wish to learn more about our great area.

Jane has been given countless awards for her numerous years of service—including honors from the March of Dimes, the Monmouth County Fireman's Association, and the Monmouth Council of Boy Scouts and Girl Scouts. Jane has a record of excellence that many in central New Jersey are thankful for.

Monmouth County is a great area with many different communities and neighborhoods. From our part of the Jersey Shore, to towns like Millstone and Allentown, Jane pleased nearly everyone in her service as county clerk.

I'm already missing Jane Clayton, as she retired on December 31, 1996 after many years of hard work. I respect Jane for not only her topnotch performance as county clerk—but also her knowledge and involvement in Monmouth County.

We have a lot to be thankful for in Monmouth County: Great little towns, good roads, great services, excellent land management, good businesses, and a county clerk second-to-none.

Thanks again, Jane, for everything you've contributed to Monmouth County. I look forward to seeing you back home—because I know that you'll still be a staple of the Fourth District. From all of us in the Fourth District and Monmouth County—Jane—best wishes and know that your hard work is and will always be deeply appreciated.

□ 1845

REBUILDING AMERICA'S INFRASTRUCTURE THROUGH PUBLIC-PRIVATE PARTNERSHIP

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut [Ms. DELAURO] is recognized for 5 minutes.

Ms. DELAURO. Mr. Speaker, today I introduced four bills that I hope will add to the dialogue about the Federal Government's role in establishing public-private partnerships to leverage both public and private investment in America's infrastructure.

Congress has recognized that our Nation simply does not have the resources to fix and rebuild all of our schools, our highways, mass transit facilities, environmental infrastructure, ports and airports and other infrastructure facilities. Public-private partnerships hold great potential in helping to fill this estimated $30 billion to $80 billion in annual Federal investment, a shortfall in America's infrastructure. In the process we have the opportunity to create hundreds of thousands of new jobs.

Congress started to address the idea of leveraging both public and private investments in infrastructure during the debate over the Intermodal Surface Transportation Efficiency Act of 1991. In addition to promoting discussion about innovative financing tools, the legislation granted to States the authority to establish something called a State infrastructure bank, or an SIB, in cooperation with the Department of Transportation.

The Department of Transportation has now enabled ten States to establish the State infrastructure banks, which are intended to attract both public and private investment in transportation infrastructure. These entities, the State infrastructure banks, are funded using an allotment from the States' Federal transportation apportionments.

The success of the newly created SIB's is limited by undercapitalization and an inability to leverage projects other than highway and mass transit infrastructure. The bills that I offered today will try to provide several solutions for addressing these weaknesses in a constructive and cost-effective manner.

Building on the effectiveness of the financial mechanisms created by these State infrastructure banks, I introduced four bills that will greatly expand the role of these kinds of entities and are related to public-private partnerships.

The first bill is the State Infrastructure Bank Expansion Act, which works by studying ways to expand the use of, and to increase the capital, the money, for these State infrastructure banks.

The second bill, the National Infrastructure Development Corporation Act, creates a Federal entity that functions much like these State creations.

The third bill, the Public Benefit Bonds Innovative Financing Act, creates a new form of infrastructure bond that can be purchased by institutional investors.

The last bill, the National Infrastructure Development Act, ties the two latter vehicles together as a comprehensive approach to leveraging public and private investments in infrastructure.

The first bill, the State Infrastructure Bank Expansion Act, directs the Secretary of the Treasury, in cooperation with heads of other Federal departments, to study the way in which the State Infrastructure Banks can be expanded. The purpose of the study is to determine whether the State banks could be used to finance projects outside of the realm of transportation, so that we can include other areas that could be utilized by the State bank.

I also reintroduced the National Infrastructure Development Act. This bill uses two financing mechanisms to attract private capital. First, the National Infrastructure Development Act creates a new category of a revenue-neutral bond called a public benefit bond. These are tax-exempt bonds which can be used by investors to attract capital for infrastructure development.

The act would also create a Government-sponsored corporation that would have the same kinds of functions as a State Infrastructure Bank, but with expanded authority. The lending corporation would eventually become fully privatized once it has the capital it needs by way of returns on its infrastructure investments.

What I want to do with these bills is to open up a bipartisan discussion about the ways in which we can create the most effective financing tools for rebuilding America's infrastructure. In the era of declining Federal budgets, what we need to do in an effort to try to create jobs, we need to create these jobs and at the same time to try to save the Federal Government money. We need to have private financing tools, private investment, in investing in America's infrastructure.

Today there are many, many American corporations who are investing in infrastructure in Third World countries. What we want to do is to try to capture some of those investment funds and have them invested right here in the United States, where we can rebuild our schools, our roads, our bridges, our mass transit system, our rail system, our airports, our environmental facilities, and in the process, create hundreds of thousands of new jobs.

I urge my colleagues to study the bills over the coming weeks and months. I hope they will be able to demonstrate their support for these kinds of public-private partnerships. I thank the Members for their consideration.

HOW DO WE KEEP SOCIAL SECURITY SOLVENT?

The SPEAKER pro tempore (Mr. SNOWBARGER]. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, this is Ryan Hemker from Quincy, MI, coming in from my Michigan Seventh Congressional District as a page, so Ryan is going to help me flip these charts.

Social Security is developing into an issue which more and more people are realizing has very serious consequences. We are talking about the question now of should we continue to dip into the Social Security trust fund to use for current other Government spending. What I want to talk about is how do we keep Social Security solvent, and is there a currently a real problem with Social Security?

As we see by this first chart, Social Security is now the largest spending item in the Federal budget. This past year it was $347 billion larger than the defense bill, larger than the other 12 discretionary spending bills, of course larger than Medicaid or Medicare or the other entitlements. Interest on the public debt, and that interest includes the money that has been borrowed from the Social Security trust fund, now takes up 15 percent of the Federal budget.

Let us go to the next chart. The next chart shows part of the problem. Our birth rate is going down and people are living longer, and that means that the expense that we are paying into the cost of Social Security is going up.

Since those figures in billions are so huge, I brought it down to a minute out of every day. Right now we are spending $661,000 a minute, $661,000 a minute to pay Social Security benefits. But spending per minute in the year 2030 is going to be $5,717,000. It is going from $600,000 to over $6 million in these next few years.

That is because more and more people are living longer, the birth rate is going down, and as the next chart shows, we are seeing that for Americans, when Social Security started in 1935, the average age of death was 63 years old. Now the average age of death is 74 years old, but if you happen to reach 65 and start collecting those benefits, then the average age of death for that person that reaches 65 years old goes up to 84 years old.

As people live longer and the baby boomers retire to expand that senior population, we see the increase on this chart, that seniors are increasing at the rate of 108 percent between now and 2040, where workers that are paying in to pay for those benefits with their Social Security taxes are only increasing at the rate of 23 percent.

Let me stop and pause here a minute to stress the fact that this is a pay-as-you-go program. Current workers pay their taxes to pay the benefits for current retirees. That is the way it is now. That is the way it always has been. There is no savings account. We talk about the trust fund, but the trust fund is only the surplus in every month when those Social Security taxes come in. If you subtract the benefits that are paid out, you have a little surplus, especially since we started increasing the Social Security taxes in the last 15 years. That surplus is what goes into the Social Security trust fund. Now there is $540 billion in that trust fund, and it is a problem, because we are even using that money for other Government expenditures.

I have proposed legislation that stops the Government from using that surplus money. That is a start. As we see on the number of people, the number of workers that are working, that are paying in their taxes to support each retiree, in 1950 we had 17 workers paying in their taxes to support each retiree. In 1996 we had three workers. By the year 2029, we are only going to have two workers that are going to be asked to pay enough taxes to support each retiree.

Look, anybody under 55 years old had better seriously look at changing the Social Security system. It needs changing. Politicians can no longer bury their heads in the sand and pretend the problem does not exist.

Just let me flip through these charts. Right now we expect to take in less tax revenues than is required for the payout in 2011. However, Dorcas Hardy suggests that it could happen, and we could essentially be in bankruptcy or having less money than required for the payouts as early as 2005. We cannot wait to solve this problem. After that, the red part shows how huge the deficits are going to be, up to $400 billion a year in today's dollars.

So far we have relied on tax increases to cover the problems of Social Security, so we have gone from 2 percent of the person's payroll, and now we are up to over 12 percent. In fact, if we look at the tax increases since 1970, we have had tax increases 36 times. There has to be a change. I ask everybody to take a look at my bill. It is not the perfect solution. Let us take it up the flagpole, start shooting at it, but let us no longer ignore the real problem with Social Security.

GENERAL LEAVE

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent that all

Members may have 5 legislative days within which to revise and extend their remarks on the subject of the special order given today by the gentleman from New Jersey [Mr. PAPPAS].

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

There was no objection.

THE PRESIDENT'S OBSESSION WITH EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GREEN] is recognized for 5 minutes.

Mr. GREEN. Mr. Speaker, earlier this week the Washington Times reported on President Clinton's obsession with education, when he was at the Maryland State Assembly earlier this week. I am happy to note that he is also obsessed with a competitive America in the future, and obsessed with giving children the opportunity for an education.

Although the Times, I think, meant it as an insult, I would be glad to accept this characterization with honor. I would hope that all Members of Congress, including my Republican colleagues, would be obsessed with education.

During the State of the Union, President Clinton set the tone for the second term by indicating that education will be his top priority. The President's education agenda is ambitious, but I believe we are up to the challenge. Two key elements of the President's plan are already part of the Democrat's family first agenda, the $10,000 tax deduction for tuition and training, and the 2-year $1,500 HOPE scholarship. I will continue to work with the President to ensure that college will be made more affordable for working families.

The President also stressed the importance of every child reading independently by the third grade and every child knowing algebra by the eighth grade. Ensuring that these goals are met requires more attention and resources focused on early childhood training and childhood education.

The President puts his money where his mouth is by proposing to expand Head Start to cover 1 million children by the year 2002. The President also recognizes the need to give disadvantaged children the help they need in order to succeed in school. Part of that effort is the President's budget would allow for $7.5 billion in requested aid for title I funding for elementary and secondary schools. This is an increase of over $347 million over the funding for 1997.

Title I supplements local school efforts to improve reading and math skills of students who are at risk of school failure. This program serves 6.8 million disadvantaged children annually, and helped the students in my 29th district, that I am honored to represent, to improve their basic skills performance.

In fact, Monday of this week, I was at a school in Galena Park School District and talked with the principal and the teachers and the students about the importance of title I funding at that particular elementary school.

Title I is successful, and even my Republican colleagues on the Committee on the Budget agree. In their analysis of the President's budget, the Committee on the Budget reports the following about title I, the Title I Program. This program, title I basic grants, is one of the most important Federal programs for local schools. I hope my colleagues remember this statement during the appropriations process.

I am especially proud that the President has chosen to use the formula that we developed in the 103d Congress to improve the way title I grants are distributed.

□ 1900

Our formula provides greater funding levels to counties with high numbers or percentages of children who are living in poverty. Texas and States like ours that have a large population of disadvantaged children will benefit from this formula.

On Tuesday, Secretary of Education Richard Riley will give his state of American education address. I am proud to participate in Houston as a host of the satellite uplink of the Secretary's speech. The fact that we will be able to watch the address via satellite at Channelview High School is a testament to the benefits of one of President Clinton's 10 points he outlined in the State of the Union Address, the value of bringing technology into our schools.

Channelview Independent School District has built a state-of-the-art high school to educate children for the 21st century. That money was local money that they voted themselves to build a state-of-the-art high school for their children to be educated for the next century.

As Americans, we are leading the way in showing how our global classroom is a better educated classroom. The Internet and satellite communications expand learning beyond the classroom, the classroom setting. In Channelview High School they have that. Every school, every room is capable of having Internet capabilities in Channelview High School.

The value of technology is best appreciated when it builds on the foundation of essential skills. I am looking forward to hearing Secretary Riley's state of the America education address and look forward to working to improve our schools based on standards of excellence to help States and school districts cope with the growing elementary and secondary enrollments and to modernize our schools for the 21st century.

Yes, we should all be obsessed with education.

The SPEAKER pro tempore (Mr. SNOWBARGER). Under a previous order of the House, the gentleman from New Jersey [Mr. SAXTON] is recognized for 5 minutes.

[Mr. SAXTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. LATOURETTE] is recognized for 5 minutes.

[Mr. LATOURETTE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. FOLEY] is recognized for 5 minutes.

[Mr. FOLEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

EDUCATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey [Mr. PALLONE] is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, this evening I want to spend some time discussing the topic of education in the 105th Congress. I just heard my colleague from Texas and the emphasis he put on education, and obviously the President has stressed it as his No. 1 priority. He did so in the State of the Union Address just last week. The Democrats, of course, as part of their families first agenda that they put forth in the last Congress have continued to prioritize education as an issue that the Congress must address that in particular should be addressed as soon as possible.

The President and congressional Democrats have basically developed a very sweeping plan to make investments in every level of the Nation's education. And in so doing, Democrats have also filled the void that I think has existed since the opening days of this session.

I should say by contrast that so far we have seen very little in terms of specifics from the Republican side of the aisle. We really have no indication of whether they are going to be receptive to the President's or the Democrats' education agenda. I was certainly disappointed today when, rather than spend time on a substantive issue such as education, the Republican leadership brought forward votes on the term limits. We spent the entire day arguing over term limits.

I would say that there are many people in Congress that think term limits are important and certainly it deserves to be debated on the House floor. But I think it borders on irresponsibility to waste time examining term limits when there are issues of true importance awaiting consideration such as

the President's education agenda. Term limits do not teach children to read. They are not going to help repair our decaying schools or meet the rising cost of college.

I would also point out that hopefully we are beyond the situation that we faced in the last Congress where the Republicans were attacking Federal education with unprecedented vehemence upon assuming the majority for the first time in 40 years. Two years ago, the Speaker proposed the largest education cuts in history and voted to slash, basically put forward an agenda to slash education programs by 15 percent or $3.6 billion. Local school districts across the country braced for and eventually suffered the worst pursuant to that GOP agenda in the last Congress. They actually forced Government shutdowns that delayed the ability of school boards to plan for the coming academic year. Among the billions of dollars that the Republicans wanted to cut from longstanding and successful Federal programs in the last Congress was a $1.2 billion cut in title I, basic grants.

They of course started to receive a lot of objection from the public about those cuts. Eventually they were restored after, I think, they realized that the American people did not want, did not want to see the kinds of cuts in the title I basic grants program. I thought it was rather interesting that just recently Chairman KASICH's Committee on the Budget praised the very program it advocated gutting in 1996, noting that title I is, quote, ''One of the most important Federal programs for local schools.''

I guess we have to say at least we are happy that now we see the Republican leadership saying that these education programs are important, and hopefully the kind of cuts and the shutdowns that we saw in the last Congress are behind us.

Let me just say that the President's budget puts forth or the President puts forth a 10-point plan to invest in education, the one that he detailed in his State of the Union Address. It really looks at every aspect of education, whether it is preschool, whether it is secondary school education or college education and the cost of college education.

The new education plan essentially addresses most of the, or many of the pressing problems that face the country today in terms of our educational system. Because some 40 percent of the Nation's fourth graders are reading below the basic level, the President has proposed the America reads challenge to ensure every child can read independently by third grade. Because some 60 percent of the Nation's schools are in need of major repair or outright replacement, the President has proposed a school construction initiative. And because the cost of college continues to outpace the rate of inflation, Democrats have proposed tax breaks to help parents and students pay college tuition.

So if we look at this 10-point plan, which I will develop a little more as we go on this evening, we can see that it is an effort really to address education needs at every level.

Again, I hope that we see the Republican side of the aisle recognize that these initiatives are important, that they can make a difference and that we move forward with this education agenda. Instead, as you know, last, in the last session of Congress, we saw the GOP leadership going so far as to actually not only talk about massive cuts in education and voted for them but even talk about dismantling the Department of Education. Again, I hope that the effort to say that we do not need a Federal Department of Education goes the way of all these massive cuts that they were proposing in the last term. Instead we see some real progress in trying to move on some of these education initiatives.

I would like now, if I could, to yield to the gentleman from Massachusetts, one of the new Members from Massachusetts. I know he is very concerned about the education issue.

Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. MCGOVERN].

Mr. MCGOVERN. Mr. Speaker, I want to commend the gentleman from New Jersey for his leadership and for his passion on this issue of education and for arranging this special order today. There is no issue more important facing this country than the issue of education.

I believe, as I know the gentleman from New Jersey believes, and I hope every Member of this House believes that every child in America deserves to have access to a quality education, an education that must be affordable.

Every child in America deserves to go to school in buildings that are regularly maintained and every family needs to know that when their child graduates from the third grade, he or she will be able to read. I commend the President for setting that national standard.

Every family needs to know that when their child graduates from the 8th grade, he or she will be able to do advanced math like algebra. In today's world, every child deserves to go to a school that is hooked up to the internet and has access to electronic information resources.

We are in a global economy. There is no way we are going to be the economic superpower of the 21st century unless we have a well-trained work force. That requires that we have a work force that is literate in computer technology.

Every family needs to know that when their son or daughter graduates from high school, they will be able to afford the rising costs associated with the next stage of their education.

Our President proposed real solutions to each of these challenges in his State of the Union address last week. I strongly support the President's education agenda, and I will fight, along with the gentleman from New Jersey and so many others on our side of the aisle, we will fight tooth and nail to ensure that this Congress makes that agenda its number one priority.

I want to share with you this evening why I feel so passionately about these education priorities. Education is an issue that touches me on a very personal level. My two sisters are teachers in the Worcester public school system. Through them, I have come to understand the selfless dedication that our Nation's teachers demonstrate every day of the week. I know from watching my sisters how extraordinarily hard our teachers work to keep students engaged and interested in complex subjects and how utterly devoted they are to making sure their students make the grade.

But from traveling throughout my district, I also understand that teaches and students are working against tremendous odds. I have seen teachers working to bring their students into the information age under conditions that are much closer to the stone age.

One morning I asked a teacher in my district what he could do with 20 computers in his classroom. He raised his eyebrows and turned around and looked at me and quietly pointed to the fact that he only had one electric socket in his entire classroom. Buildings in my district and buildings throughout this Nation need significant rehabilitation and in some cases complete rebuilding before our students can hope to be launched into the information superhighway.

This is one of the reasons I was so pleased to hear President Clinton announce his proposal for $5 billion in subsidies to leverage $20 billion in school construction. Every Member of this Congress knows firsthand how badly our local school districts need help in bringing our public school buildings up to power.

We cannot ask great things from our students without providing them a safe, stable environment in which to learn and grow. I want you to know that the third district of Massachusetts is blessed with many fine institutions of higher learning. We have some of the finest colleges and universities in the world located in my district. They are the greatest natural resource for both educational and economic renewal that I can imagine.

The key is to make these institutions accessible and affordable to every hard-working family in central and southern Massachusetts and throughout the country. As I have spent time talking to families throughout my district, I have come to realize the rich diversity of our area. Families of all backgrounds and all incomes, young people with every interest and talent each face a similar challenge, how do I pay for college.

Some families seek to send their kids to a four-year university, others a community college, still others a vocational or technical school. Every family I meet is gravely concerned about

the skyrocketing cost of college tuition, the shrinking amount of funds available for student aid and the intense pressure to balance the need for a college education with a host of other pressing economic needs.

I am proud to say that our President, President Clinton, must have listened to the families across this Nation because his call for action on education speaks directly to the needs I hear from the residents of Worcester and Fall River and Attleboro and Medway and Franklin and so many towns throughout my district. As I talk to Members in this Chamber, they are hearing the same message from their districts.

The President has asked Congress to increase both the number and the level of Pell grant funds and to provide tax relief to families with kids in college, either through a tax credit or a tax deduction.

Mr. Speaker, education is a very personal issue for me. It is a critically important issue in my district, and it is now a national priority of the highest order. For our children's future and for the future economic well-being of our Nation, I hope that every Member of this House, regardless of party affiliation, will support the President's call to action on education. We owe it to ourselves, we owe it to our country, and most important, we owe it to our children.

I thank the gentleman from New Jersey again for his leadership on this issue.

Mr. PALLONE. Mr. Speaker, I just want to commend the gentleman for particularly making reference to the higher education initiative that the President has put forward. Because as much as I think that all parts of his 10-point plan are significant, the higher education initiative I think is particularly important because all we hear constantly or at least I do, and I am sure you do, from our constituents is how difficult it is to afford to send their children to college, whether it is public or private school or whether it is two years or four years or a graduate or professional school.

Basically what the President is proposing here is building on existing programs like the Pell Grant Program, like the Work Study Program, like the Direct Student Loan Program, and trying to make those programs more accessible to more people, but at the same time coming up with new initiatives in terms of the tax deductions and the Hope Scholarship Program so that there are even more, if you will, opportunities, expanded opportunities to pay for higher education.

□ 1915

I know that certainly in his first term, in his first 4 years as President, and obviously with the cooperation of the Congress, he was already able to make some expanded opportunities available with the AmeriCorps program, basically allowing students to work to pay back their student loans. And even with that, we constantly hear the need for more expanded opportunities for higher education.

Right now that is the education issue that I hear the most about, even though the others, I am sure, are just as important.

Mr. McGOVERN. Mr. Speaker, if the gentleman will yield, I could not agree with him more. The reality of the economy that we are faced with now is it is a global economy. We are going to need to have a work force that is well educated, that is able to take advantage of higher education, and in that spirit we must make it affordable to families and to young people and to adults who want to further their education.

I was particularly excited about the President's State of the Union Address because he said education is his No. 1 priority. Well, it is my No. 1 priority, and should be the No. 1 priority of everyone in this Congress. We will not be the economic superpower in the 21st century unless we have a well educated work force. We will not effectively combat problems like crime, we will not effectively deal with issues like welfare reform, unless we deal more effectively with the issue of education.

I think if this President's legacy is that he goes down in history as the education President, truly the education President, where he expands educational opportunities for our young people, where he improves the quality of schools at our elementary and secondary level, I think he will go down in history as one of the greatest Presidents we have had. So I am excited about his agenda.

I agree with the gentleman especially on higher education. I have talked to countless families who say to me that they have a couple of kids of college age who are looking at various colleges, and they are looking at the costs of tuition and the cost of board and the cost of books, and they cannot figure how they are going to finance it.

The gentleman knows know as well as I do there are a lot of families out there now that are just basically surviving, people working two or three jobs just to make ends meet, who do not have much of a savings, and they welcome this kind of tax relief, the grants the President has proposed. They welcome it because it will open up opportunities for their kids.

I think every parent wants the very best for their children. I think if we enact the President's agenda here, we will help a lot of families realize that dream for their kids.

Mr. PALLONE. The other two issues that I hear so much about, again from constituents, one is with regard to school construction and modernization, because there are so many schools now that really do not have the funds or they have to raise property taxes or whatever in order to pay for new construction or modernization.

We know that it is very difficult to learn if one is in a building where the infrastructure is such that the ceiling is leaking or it is not properly ventilated or whatever it happens to be. I think that the President brought forward the need for that in ways that maybe a lot of us on the Federal level have not really been aware.

Essentially what he is proposing, from what I understand, is sort of a Federal-State-local partnership so more of that modernization can be done. But I know even in my district, which is pretty much a suburban district, there are a lot of schools that have the need for upgrading and modernization and the school boards simply do not have the funds to pay for it.

Mr. McGOVERN. Absolutely. I agree with the gentleman. The fact of the matter is that when I go around talking to schools, they welcome any Federal assistance to help them recognize some of their goals, whether it be bettering the quality of the classrooms or trying to hook the schools up to the information superhighway.

I gave an example in my opening remarks of talking to a teacher who, when I asked, ''Would you like 20 computers? What would you do with them?'' he said, ''I could not use them. I do not have enough electric sockets in my classroom to be able to utilize them.''

Part of the problem is making sure we have the computer technology available so that our young people can take advantage of it, but the other part of the problem is making sure that the school building, the infrastructure, can handle it. Computers without plugs do not make much sense.

So, again, I agree with the gentleman. I think the President is doing the right thing here and, again, I do not know of a single school district in this country who would not welcome that kind of Federal assistance. It is a wise investment.

I hear a lot of people say, about investing in education, that we are trying to balance the budget; we cannot invest any more in education. Well, I say every time we have invested in education this country has been better off. Look at history. Go back to the GI Bill of Rights. It cost us a little up front to launch that program, but I do not know of a single person today who would say, well, the GI Bill of Rights was a bad idea; we should not have invested in the education of a whole generation of young people.

Likewise, I think the investments we make today, 10, 20 years from now we will look back and people will say that was a wise thing to do, that our country is going to be stronger and better off as a result of it.

Mr. PALLONE. The other thing that surprises me is we have already received some criticisms to the President's suggestion of national standards. One of the 10 points, in fact, I think it is the first of his 10 points, that we set rigorous national standards, with national tests in 4th grade reading and 8th grade math to make

sure our children master the basics, this has been criticized already, that it is a bad thing to establish Federal standards.

I think the President made it clear he was not mandating these standards. He was basically saying the Federal Government can establish these standards and create incentives, if you will, to have the schools meet those standards. Again, that is the way I see the Federal role. The Federal role can well be, let us establish the standards and then the various school districts in the States on a voluntary basis try to meet them.

I was kind of shocked to see some of our colleagues on the other side suggest that somehow that that was interference and that was a bad way to go. I really believe that, as much as the decisions about education will continue to be made and should continue to be made by the local school boards, there is nothing wrong with the Federal Government trying to help out and provide some kind of a basic standard.

Mr. McGOVERN. I agree with the gentleman. The fact of the matter is the President is not advocating the Federal Government take over the role that has historically been a local role with regard to education. He is not saying that by any means, but he is utilizing the bully pulpit, he is utilizing his position to challenge school districts, schools all across this country, to meet certain minimum standards.

I do not know how anybody could object to a national standard that by third grade every young boy and every young girl has to be able to read and write. That is certainly not a controversial goal, I think, to be set. I think it is something that we should applaud.

It should shock us all that so many of our young kids at that age cannot read or write. The President has set that goal out there, he has challenged us to meet it, and we need to find ways to meet it.

Part of his call to voluntarism is that to the extent that people can, that they volunteer to help tutor young kids so they can read or write by the time they are in third grade. This is a part of the solution, again, and I applaud that.

It is important that we do set some sort of national standards and some sort of national goals, again, not to interfere with local jurisdictions or State jurisdictions, but as a Nation we should want these things. So I applaud the President on those things.

Mr. PALLONE. If we look again at every one of the initiatives in his 10-point plan, every one of them basically is organized so that the Federal Government is basically providing an incentive to local school boards.

It is not only the national standards we talked about, but the idea of a talented and dedicated teacher in every classroom, the 100,000 master teachers through some sort of national certification, a teacher for every student to read independently and well by the end of the third grade, expand Head Start.

Head Start, I hope, has gotten to the point now where everybody on both sides of the aisle recognizes its value, but I guess like everything else it is a question of how much we will provide for it. In my district—again, I have been to many of the Head Start programs—most of them have waiting lists. Most of them have a lot of kids that really cannot take advantage of the program, and it works very well. We need to expand it.

What he is basically saying is that his budget would expand Head Start to cover one million children by 2002 so that essentially every child who is eligible would have the opportunity to participate in Head Start.

Mr. McGOVERN. And I would just add that these proposals, while I welcome them and applaud them, one could argue they are modest in some respects. Some of us wish they would go farther.

On the Pell grants, the President, to his credit, advocates increasing the maximum award to $3,000. I think they should be increased to $5,000 to reflect inflation over the years since the Pell grants were first initiated. We must make sure there are opportunities for those who are from lower income families so that they can take advantage of a college education as well. These are reasonable, modest proposals.

I want to tell you, what the President has outlined is going to test whether this Congress is truly committed to making education its No. 1 priority or whether this Congress is not. It is that simple.

I hope, anyway, that we can have some bipartisan cooperation here. The President said that education should be a nonpartisan issue. I agree with him. I hope that all of us here can join together and enact all of these proposals. Maybe we can make them a little bolder, because I think that is what is needed.

If we truly want to see this country be the economic superpower into the next century, if we truly want to make sure we are dealing with all these other social and economic problems that we debate here on this floor every single day, then education has to be a priority and we are going to have to invest in education.

So, again, I am going to do what I can to try to advance his agenda forward. I know the gentleman from New Jersey is going to do the same thing. Clearly, education is the number one priority, and the President deserves a great deal of credit for drawing the lines in his State of the Union address.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman, and I also want to say that obviously, for both of us, this is the beginning of our effort to try to continue to bring our colleagues' attention to the fact that the President's education program needs to be enacted, and that we need to move on it as quickly as possible.

Obviously, we feel very strongly that that is the case. Most of what is in the President's program was basically put forward with the Democrats' family first agenda last year. I think it is really crucial that we keep making the point that we need to move on it; that we cannot waste any time, because it really can make a difference in terms of investing in our future and that bridge that we keep talking about to the next century.

So I thank the gentleman again and yield back the balance of my time.

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PEACE FOR AFGHANISTAN

The SPEAKER pro tempore (Mr. SNOWBARGER). Under a previous order of the House, the gentleman from California [Mr. ROHRABACHER] is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Speaker, as I ran back and forth today trying to cast my votes on this very important issue of term limits, I was visited by four individuals who have trekked halfway around the world in order to visit this capital of the United States of America in an attempt to bring peace to their own country. Those individuals represent one of the factions that continue to struggle in Afghanistan. Those individuals 10 years ago were engaged in a struggle to defeat the most powerful enemy and the most powerful dictatorship in the world, the Soviet Union. The people of Afghanistan rose up against their invaders and it was their courage and their determination that helped bring an end to the cold war. Yes, it was the little Mujahedin 110-pound man with a turban on his head and a beard who jumped from behind a rock and faced a Soviet tank and said: You shall not impose your will on Afghanistan. You will not destroy our faith in God. You will stop here. You will not control my country. I will die before you succeed.

It was that bravery and that courage of that perhaps uneducated man from Afghanistan who was willing to give everything that eventually brought the expansion of the Soviet empire to an end and reversed the course of the cold war. The United States has a lot to be grateful and all the people of the free world have a lot to be grateful for to the people of Afghanistan. Yet the struggle goes on. For the last 3 hours, I have been speaking with these gentlemen who have trekked halfway around the world in order to find peace for their country, in order to find a peace for Afghanistan. The American people owe a great debt of gratitude to Afghanistan. We would still be in a cold war today. There would still be nuclear missiles aimed at the United States of America by a belligerent power from the Soviet Union had not the people of Afghanistan risked everything in order to defeat the Soviet empire and to defeat the Communist thrust into their country. For this, the entire world and

the people of the United States owe the people of Afghanistan a great debt. Yet right after the Soviet Union collapsed, the United States ran at a quick pace away from Afghanistan and never looked back. And every day, even to this day, young people in Afghanistan, children, are blown apart by land mines, some of which were provided by the United States of America. We have not done our best to try to bring peace to a country and to a people to whom we owe so much. It is my hope that, in Afghanistan, the leaders of the Taliban movement who now control much of that country and the leaders of other factions who control the northernmost regions of that country can come to an understanding that will bring peace and will bring free elections to that strife-torn country and will provide for the people of that country, those brave people of Afghanistan, who stood against Soviet tyranny and Soviet armor, will bring them at last to a time when they can rebuild their water ducts, they can rebuild their villages and mosques, they can rebuild their schools and they can begin again to have a country devoted to Islam, their religion, devoted to their families and to their honor. The United States owes it to the people of Afghanistan to do what we can to help bring peace to that country.

Tonight, as I say, I have spoken to these leaders who have trekked halfway around the world trying to seek help from the United States in bringing peace to their country. I personally believe that the King of Afghanistan represents an option that could unify all of the people of Afghanistan because they know that he will soon die, he is over 80 years old, and will pass away and thus is not a threat in the long run to any one faction. The King of Afghanistan would like to bring democracy to his country. What we have learned, if we have learned anything in these last 50 years, is that free elections bring peace. It is democracy that will bring peace to the world. When Ronald Reagan confronted the Soviet empire, he stressed our belief in freedom and the support for those who struggle for freedom around the world, and that is what changed the world and has made this a more peaceful world. Let us hope that in the years ahead, there will be a more peaceful Afghanistan and the people there can live in dignity and honor and prosperity that they have earned with their blood and their honor.

AMERICANS FOR DEMOCRATIC ACTION: 50 YEARS OF DEDICATED SERVICE TO PROGRESSIVE IDEALS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. FILNER] is recognized for 60 minutes.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the topic of my special order.

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

There was no objection.

Mr. FILNER. Mr. Speaker, I rise today, and many of my colleagues will submit statements to the RECORD to support this special order, to commemorate the 50th anniversary of a great organization called Americans for Democratic Action, an organization we fondly call ADA, an organization that has worked tirelessly for 5 decades to improve American society.

It was on January 3, 1947, that 130 people gathered at the Willard Hotel in Washington, DC, to form Americans for Democratic Action. Included were political activists, academics, housewives, labor union leaders, and former New Dealers. They were idealists, the well-known and the unknown, all dedicated to the basic principle that government has a positive role to play in the lives of its citizens in promoting individual liberty and economic justice.

Among the founders of ADA were such well-known figures as Eleanor Roosevelt, John Kenneth Galbraith, Walter Reuther, David Dubinsky, Arthur Schlesinger, Jr., Reinhold Niebuhr, Joseph L. Rauh, Jr., and Hubert Humphrey. And because I had the opportunity to work for Senator Humphrey back in the 1970's, I was able to learn from him firsthand about the importance of the role of ADA. I truly value my membership and my current position as a member of the board.

The contributions of ADA have been many. In 1948, ADA's efforts led to the adoption of a strong civil rights plank in the Democratic Party platform which has defined our party's commitment to civil rights for over a generation. In subsequent decades, ADA has taken early principled stands on civil rights and civil liberties, nuclear arms control, apartheid in South Africa, workers rights, women's issues, and the Federal budget and tax policy. ADA was the first national organization to call for an end to the Vietnam war and the impeachment of Richard Nixon. The Humphrey-Hawkins full employment bill saw its genesis at an ADA convention.

The values and ideals of ADA members are just as relevant today. For example, the increase in the minimum wage, preservation of Medicare and the passage of health care portability can all be traced directly to the influence of the members of ADA and similarly thoughtful people. Today ADA continues to be dedicated to building a better world with rising standards of living for all. Its members, in Congress and out, work for the values of promoting basic human rights at home and abroad, ending all forms of discrimination, ensuring full employment and balanced growth and more equitably distributing our resources.

During the 105th Congress, ADA will continue to press for a national commitment to full employment, comprehensive campaign finance reform, universal and quality health care, access to a full range of reproductive health care for all, an end to discrimination, full access to quality education, a safe and healthy environment, and national economic priorities that reflect today's social and defense needs.

It is quite a list, it is quite an agenda, it is quite a full plate. But it is normal for the members of ADA to take a comprehensive approach to the problems and opportunities that we see in American society.

So I want to take this opportunity, as do many of my colleagues, to sincerely recognize and thank ADA and its members. The influence that ADA has exerted over national policy has led to several defining moments in our Nation's history. I welcome its participation in the debates of the future and wish for ADA a continued commitment and involvement worthy of its great founders.

Mrs. MALONEY of New York. Mr. Speaker, it was Eleanor Roosevelt who said, "You gain strength, courage and confidence by every experience in which you really stop to look fear in the face * * * You must do the thing you think you cannot do." The Americans for Democratic Action has for 50 years been an organization that has looked the sometimes cold and heartless agenda of some in this Congress and fought it head on with its more just and compassionate ideals. The Democratic agenda has long been rooted in the principles that the ADA espouses and we are pleased that this organization reminds us of our responsibility to be tough in the face of injustice.

I rise tonight as a proud member of the Board of the Americans for Democratic Action. I am particularly privileged to stand here as a New Yorker as the ADA has an extraordinary history in the Big Apple. Founded in 1947, by David Dubinsky and the ever remarkable Eleanor Roosevelt, and ADA began as part of a labor movement and since then has developed a progressive agenda that spans from equal rights to jobs to economic justice to education. The ADA has been a strong voice for those whose voices are drowned by words of intolerance and fear.

We are truly fortunate that the ADA has not only been completely dedicated to justice within U.S. borders, but has also been instrumental in advancing human rights throughout the world. From Vietnam to Sarejevo, in its support of the United Nations, in its struggle to promote simple human dignity in the smallest villages to the most thriving cities, the ADA has reminded us that it is essential that the United States lead with more than just its own interests in mind.

The ADA is a proud and vigilant conscience of progressive causes during a time when being called a liberal is sometimes the harshest political epithet that can be hurled. There is no way to adequately thank the ADA for its 50-year fight for peace and justice. I can only say thank you for allowing me to be part of your dynamic organization and I look forward to being a part of the next 50.

Mr. NADLER. Mr. Speaker, for 50 years, Americans for Democratic Action has been a proud defender of liberal values in America, so it is with great pleasure that I rise to praise this fine organization.

As a former board member of ADA and a great admirer of its president, Jack Sheinkman, I know well the long history and tremendous accomplishments of ADA.

Founded with the help of Eleanor Roosevelt, ADA, has for decades, actively championed liberal policies that work. ADA has been a powerful force for good in Washington—fighting to increase the minimum wage, protect workers, and support valuable programs like Medicare and Medicaid. ADA has led the difficult fight on behalf of this needy; fighting to ensure that the Federal budget does not neglect those who are often overlooked or blatantly ignored.

From the beginning, ADA has been among the Nation's leaders in the fight for civil rights and racial justice. ADA members successfully worked to integrate strong civil rights protections into the 1948 Democratic platform. Working in the South in the 1950's and 1960's, ADA challenged the President and others to more closely live up to the ideals of this great Nation, to respect the rights of all people, and to tear down the segregationist laws that continued to oppress millions of Americans.

ADA has also led the way in promoting a humanitarian foreign policy. From opposing the Vietnam war to pursuing an end to apartheid in South Africa, ADA has been willing to tackle difficult issues and mobilize public opinion in extraordinary ways. ADA has fought long and hard for nuclear arms control and continues to advocate for lower levels of military spending and more restrictions on international arms sales.

ADA has often advocated ideas that were once seen as radical. From promoting civil rights, to opposing the Vietnam war, to ending segregation, ADA has often been the first to voice opinions that many, at the time, considered radical, but with hard work and active citizen education, move to become the prevailing wisdom. ADA's voice in Washington often shines like a beacon of light that cuts through of fog of misinformation that fills the air on Capitol Hill.

Through bold leadership and the strength that comes from speaking the truth, ADA has achieved enormous victories and improved the lives of people everywhere. To promote active citizen involvement in the fight for equality, justice, and peace—this is the mission that ADA has chosen, and I, for one, believe that they have succeeded tremendously in their efforts.

Now, more than ever, we see the need for grassroots activists empowered by ADA to continue to let their Representatives know what's important to them: protecting working families; helping the needy; and fighting injustice. I welcome their support in the upcoming battles of the 105th Congress, and I know that the American people appreciate their efforts to help create a more perfect Union.

Mr. STOKES. Mr. Speaker, I want to thank my colleague, the distinguished gentleman from California, Congressman BOB FILNER, for reserving this special order. We gather today to recognize the 50th anniversary of Americans for Democratic Action [ADA]. As a fellow ADA vice president, I take special pride in joining my colleagues as we mark the anniversary of an organization which has played an integral role in shaping the social and political landscape of our Nation.

Americans for Democratic Action is an independent liberal political organization founded in 1947 and committed to economic and social justice. The organization's founders include Eleanor Roosevelt, labor leader Walter Reuther, economist John Kenneth Galbraith, historian Arthur Schlesinger, Jr., theologian Reinhold Niebuhr, and former Vice-President Hubert Humphrey.

Americans for Democratic Action currently boats a membership of 30,000, the ranks of which includes members of the business community, professionals, and our Nation's labor and political leaders. ADA seeks to formulate liberal domestic and foreign policies based on the changing needs of the country.

Mr. Speaker, I am proud to note that throughout its history, Americans for Democratic Action has taken solid stands on the issues confronting our Nation. We recall that in 1948, ADA's efforts resulted in the adoption of a strong civil rights plank in the Democratic Party platform. This action has helped to define our party's commitment to civil rights for over a generation. Americans for Democratic Action was equally vocal with regard to the Vietnam war, the impeachment of President Richard Nixon, and the issue of apartheid in South Africa. In subsequent decades, ADA has led by advocating workers' rights, civil and equal rights, increases in the minimum wage, and Federal spending priorities.

Today, as I reflect upon the history of ADA, I recall my close friendship with Joseph L. Rauh, Jr., a great civil liberties attorney who was affiliated with the organization. I also recall that when my brother, the late Carl B. Stokes, sought to become the first black mayor of Cleveland, OH, Americans for Democratic Action was one of the first organizations to host a fundraiser in his behalf. This was done despite the fact that during this time, it was not popular for major organizations to support African-American candidates. With ADA's support, Carl went on to become the first black mayor of a major American city. Like many of my colleagues gathered today, I also take special pride in my annual ADA legislative voting tally.

Mr. Speaker, as Americans for Democratic Action marks 50 years of progress, I applaud the organization for its strong commitment and leadership. I am proud of my close association with ADA and I join many others in saluting its progress.

Mr. DELLUMS. Mr. Speaker, today I rise in recognition of the 50th anniversary of the Americans for Democratic Action [ADA].

Over the past 50 years, the ADA has been a champion of a liberal agenda in local and national politics for American citizens. As the base of its strong foundation, the ADA seeks economic freedom, greater individual participation in government, and constitutional, political, and administrative reforms in order to promote a stronger nation and democracy. I embrace their values which support first and foremost liberty, equality, and opportunity for individuals. The ADA believes the Constitution created a national government to serve the common good, and that the Bill of Rights should protect the freedoms of ordinary citizens. The organization is proud of President Franklin D. Roosevelt's legacy, the New Deal, which espoused dedication to economic security for all Americans, and the need for American leadership within an international community.

The ADA will continue its commitment and urges a progressive advance in the 105th Congress. It hopes to set forth a vision in the 21st century to strengthen human rights and human welfare and to assure peace and security at home and abroad for America. Throughout the tenure of the 105th Congress, the ADA will remind the general public, the Clinton administration, and the Congress that there is an indispensable rule for government in advancing the cause of freedom, dignity, and human welfare. The ADA will call for job creation leading to economic expansion so that the United States can achieve its full economic growth potential providing for a better life for the American people.

Key priorities for the ADA in 1997 include: Expansion of international human rights; opposition of any balanced budget amendments to the Constitution; protection of Medicare, Medicaid, and Social Security from privatization and cuts; jobs for all at decent pay; restoration of cuts in the food stamps program; protection of civil rights, civil liberties, and reproductive choice; protection of workers rights and pensions; protection of the environment; and campaign finance reform leading to public financing of all Federal elections.

These are the mission and goals of the Americans for Democratic Action. On the occasion of their 50th anniversary, I am proud to publicly recognize this political organization and its tireless advocacy of political freedom and constitutional guarantees on behalf of all of us.

Ms. WOOLSEY. Mr. Speaker, it is my privilege to join with my colleagues in celebrating the 50t anniversary of Americans for Democratic Action [ADA]

Americans for Democratic Action was established 50 years ago by some of the most important progressive leaders of this century including Hubert Humphrey, John Kenneth Galbraith, and one of my great role models, Eleanor Roosevelt. These great Americans came together because they believed it was time for a political action and lobbying group that looked out for the interests of the forgotten, the disenfranchised, and the most vulnerable in our society. Fifty years later, I am proud to say that Americans for Democratic Action has lived up to those noble intentions.

Americans for Democratic Action was a leader in the civil rights movement and helped define the Democratic Party's commitment to civil rights and social justice. In fact, ADA has been at the forefront of every progressive cause for the past half century, including stopping the Vietnam war, increasing public awareness of Watergate, fighting for nuclear arms control, workers' and women's rights, and ending apartheid.

As a current vice president of Americans With Democratic Action, I am awed by ADA's past accomplishments. Working with my colleagues in Congress and Americans for Democratic Action, we must follow in the footsteps of Roosevelt and Humphrey and continue to move this Nation forward without leaving anyone behind.

Mr. ENGEL. Mr. Speaker, I rise today to commemorate an important event in American political history, which may have been overlooked by many of my colleagues. On January 3, 1997, Americans for Democratic Action celebrated its 50th anniversary.

ADA has a history of which all its members can be proud. In 1947, a group of activists gathered at the Willard Hotel and pledged themselves to a liberalism which moves with the times. As an ADA vice president, I can say with certainty that ADA has lived up to its vision.

Since that day in 1947, ADA has been at the forefront of political discourse. In fact, ADA was the first national organization to call for the impeachment of Richard Nixon during the Watergate scandal. ADA has also been a leader in opposition to issues such as the Vietnam war and apartheid in South Africa.

ADA provides insightful analysis on a myriad of current issues including workers' rights, student opportunities, women's issues, health care, civil rights, the Federal budget, and defense spending. ADA's political advice and members in the field are an invaluable source of information for me and many other Members of Congress.

I am especially pleased that ADA's two top officers, Henry Berger, who chairs the national executive committee, and Jack Sheinkman, our president, are both fellow New Yorkers. ADA's New York City chapter is one of the largest and most active in the Nation.

ADA is not only one of the longest lived political organizations in this country, it also has a rich history on which it continues to build a vision for the future. I am proud to be an ADA member and look forward to working with this remarkable organization for the next 50 years.

Mr. COYNE. Mr. Speaker, I rise today to join in the special order organized by Congressman FILNER to pay tribute to the Americans for Democratic Action on this organization's 50th anniversary.

The ADA was formed at a time when this country had just emerged from a devastating depression and an all-engaging world war, and when we faced a number of wracking social changes at home and a series of demanding international challenges abroad. Notable figures like Eleanor Roosevelt, Reinhold Niebuhr, Arthur Schlesinger, Jr., John Kenneth Galbraith, Walter Reuther, Paul Douglas, and Hubert Humphrey created the ADA to provide a forum for progressives to debate pressing public policy issues and to articulate a progressive agenda for national action.

Fifty years later, we can say with some perspective that the ADA has done just that. The ADA has taken bold, principled stands on issues as diverse as civil rights and international affairs—and the organization has been the object of unfair attack and invective by some of its political enemies—but throughout it all the ADA has remained true to the ideals of a compassionate society, an activist Democratic government, and the greatest possible personal freedom and opportunity for all of the members of our society.

I want to congratulate the ADA for 50 years of contributions to a more informed public debate, and I look forward to the contributions that the ADA will make in the next 50 years.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. NEUMANN] is recognized for 5 minutes.

[Mr. NEUMANN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YOUNG of Alaska (at the request of Mr. ARMEY), for today and the balance of the week, on account of a death in the family.)

Mr. SCARBOROUGH (at the request of Mr. ARMEY), for today and the balance of the week, on account of illness in the family.

Mr. CARSON (at the request of Mr. GEPHARDT), for today and the balance of the week, on account of illness.

Mr. OBEY (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of recovering from surgery.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KILDEE) to revise and extend their remarks and include extraneous material:)

Mr. GREEN, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

(The following Members (at the request of Mr. BOB SCHAEFER of Colorado) to revise and extend their remarks and include extraneous material:)

Mr. SMITH of Michigan, for 5 minutes each day, today and February 13.

Mr. FOLEY, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. ROHRABACHER for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. KILDEE) and to include extraneous matter:)

Mr. TRAFICANT.
Mr. ROEMER.
Mr. RANGEL.
Mr. DELLUMS.
Mr. SKELTON.
Mr. KILDEE.
Mr. LANTOS.
Mr. BERMAN.
Mr. HAMILTON.
Mrs. MINK of Hawaii.
Mr. STOKES.
Mr. SCHUMER.
Mr. WEYGAND.
Mr. YATES.
Mr. ROTHMAN.
Mr. STARK.
Mrs. MEEK of Florida.
Mr. TORRES.
Mr. COYNE.
Ms. HARMAN.
Mr. BECERRA.
Mr. RAHALL.
Mr. SERRANO.

(The following Members (at the request of Mr. BOB SCHAFFER of Colorado) and to include extraneous matter:)

Mr. BLUNT.
Mr. ROGERS.
Mr. GINGRICH.
Mr. MCINNIS.
Mr. CRANE.
Mr. PAUL.
Mr. DUNCAN.
Mr. WELLER.
Mr. PITTS.
Mr. KNOLLENBERG in two instances.
Mr. CANADAY of Florida in two instances.
Mr. GILMAN in two instances.
Mr. SHUSTER.
Mrs. CUBIN.
Mr. INGLIS OF SOUTH CAROLINA.
Mr. LUCAS OF OKLAHOMA.
Mr. YOUNG OF ALASKA.
Mr. STUMP.
Mr. SPENCE.
Mr. GOODLATTE.
Mr. BUNNING.
Mr. ROGAN.
Ms. ROS-LEHTINEN.

(The following Member (at the request of Mr. FILNER) and to revise and extend her remarks:)

Ms. WOOLSEY.

ADJOURNMENT

Mr. FILNER. MR. SPEAKER, I MOVE THAT THE HOUSE DO NOW ADJOURN.

The motion was agreed to; accordingly (at 7 o'clock and 42 minutes p.m.), the House adjourned until tomorrow, Thursday, February 13, 1997, at 10 a.m.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. JOHNSON of Connecticut (for herself, Mr. SOLOMON, Ms. PRYCE of Ohio, Mr. SHAW, Mr. HERGER, Mr. MCCRERY, Ms. DUNN of Washington, Mr. SAM JOHNSON, Mr. PORTMAN, Mr. ENSIGN, Mr. ENGLISH of Pennsylvania, Mr. WELLER, Mr. HAYWORTH, and Mr. FOLEY):

H.R. 693. A bill to amend the Internal Revenue Code of 1986 to repeal the increase in the tax on Social Security benefits; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 694. A bill to provide for a change with respect to the requirements for a Canadian border boat landing permit pursuant to section 235 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. GOODLATTE (for himself, Ms. LOFGREN, Mr. DELAY, Mr. BOEHNER, Mr. COBLE, Mr. SENSENBRENNER, Mr. BONO, Mr. PEASE, Mr. CANNON, Mr. CONYERS, Mr. BOUCHER, Mr. GEKAS, Mr. SMITH of Texas, Mr. INGLIS of South Carolina, Mr. BRYANT, Mr. CHABOT, Mr. BARR of Georgia, Ms. JACKSON-LEE, Ms. WATERS, Mr. ACKERMAN, Mr. BAKER, Mr. BARTLETT of Maryland, Mr. CAMPBELL, Mr. CHAMBLISS, Mr. CUNNINGHAM, Mr. DAVIS of Virginia, Mr. DICKEY, Mr.

DOOLITTLE, Mr. EHLERS, Mr. ENGEL, Ms. ESHOO, Mr. EVERETT, Mr. EWING, Mr. FARR of California, Mr. GEJDENSON, Mr. GILLMOR, Mr. GOODE, Ms. NORTON, Mr. HORN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SAM JOHNSON, Mr. KOLBE, Mr. MCINTOSH, Mr. MCKEON, Mr. MANZULLO, Mr. MATSUI, Mr. MICA, Mr. MINGE, Mr. MOAKLEY, Mr. NETHERCUTT, Mr. PACKARD, Mr. SESSIONS, Mr. UPTON, Mr. WHITE, and Ms. WOOLSEY):

H.R. 695. A bill to amend title 18, United States Code, to affirm the rights of U.S. persons to use and sell encryption and to relax export controls on encryption; to the Committee on the Judiciary, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ACKERMAN:

H.R. 696. A bill to amend the Animal Welfare Act to require humane living conditions for calves raised for the production of veal; to the Committee on Agriculture.

By Mr. BILIRAKIS (for himself, Mrs. THURMAN, and Mrs. FOWLER):

H.R. 697. A bill to waive temporarily the Medicaid enrollment composition rule for certain health maintenance organization; to the Committee on Commerce.

By Mr. BLUNT:

H.R. 698. A bill to designate the U.S. Post Office Building located at Bennett and Kansas Avenue in Springfield, MO, as the ''John Griesemer Post Office Building''; to the Committee on Government Reform and Oversight.

By Mr. BONILLA (for himself and Mr. SAM JOHNSON):

H.R. 699. A bill to guarantee the right of all active duty military personnel, merchant mariners, and their dependents to vote in Federal, State, and local elections; to the Committee on House Oversight, and in addition to the Committees on Veterans' Affairs, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BONO (for himself and Mr. KILDEE):

H.R. 700. A bill to remove the restriction on the distribution of certain revenues from the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians; to the Committee on Resources.

By Mr. BORSKI:

H.R. 701. A bill to amend the Internal Revenue Code of 1986 to allow the deduction for personal exemptions in determining alternative minimum taxable income; to the Committee on Ways and Means.

By Mr. BRYANT (for himself, Mr. BARR of Georgia, Mr. BONO, Mr. CANADY of Florida, Mr. GOODLATTE, Mr. HOSTETTLER, Mr. MCCOLLUM, Mr. SCHUMER, Mr. SENSENBRENNER, Mr. SMITH of Texas, and Mr. DUNCAN):

H.R. 702. A bill to amend section 372 of title 28, United States Code, to provide that proceedings on complaints filed with respect to conduct of a judge or magistrate judge of a court be held by a circuit other than the circuit within which the judge serves, and for other purposes; to the Committee on the Judiciary.

By Mr. BUNNING of Kentucky:

H.R. 703. A bill to refocus the mission of the Federal Reserve System on stabilization of the currency and provide greater public scrutiny of the operations of the Board of Governors of the Federal Reserve System, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. BUNNING of Kentucky (for himself and Mr. CONYERS):

H.R. 704. A bill to require the general application of the antitrust laws to major league baseball, and for other purposes; to the Committee on the Judiciary.

By Mr. BUNNING of Kentucky:

H.R. 705. A bill to amend the Internal Revenue Code of 1986 to modify the application of the passive loss limitations to equine activities; to the Committee on Ways and Means.

By Mr. CAMPBELL (for himself and Mr. LEWIS of Georgia):

H.R. 706. A bill to provide off-budget treatment for one-half of the receipts and disbursements of the land and water conservation fund; to the Committee on the Budget, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRANE (for himself, Ms. DUNN of Washington, and Mr. MCDERMOTT):

H.R. 707. A bill to amend the Internal Revenue Code of 1986 to provide tax treatment for foreign investment through a U.S. regulated investment company comparable to the tax treatment for direct foreign investment and investment through a foreign mutual fund; to the Committee on Ways and Means.

By Mrs. CUBIN:

H.R. 708. A bill to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, WY, and to extend temporarily certain grazing privileges; to the Committee on Resources.

By Mrs. CUBIN (for herself and Mr. GIBBONS):

H.R. 709. A bill to reauthorize and amend the National Geologic Mapping Act of 1992, and for other purposes; to the Committee on Resources.

By Ms. DELAURO (for herself and Mrs. MEEK of Florida):

H.R. 710. A bill to amend the National Highway System Designation Act of 1995 to direct the Secretary of Transportation to conduct a study of the feasibility of expanding the types of projects eligible for assistance from State infrastructure banks; to the Committee on Transportation and Infrastructure.

By Ms. DELAURO:

H.R. 711. A bill to amend the Internal Revenue Code of 1986 concerning the tax treatment of distributions from qualified retirement plans investing in public benefit bonds; to the Committee on Ways and Means.

By Ms. DELAURO (for herself, Mr. GEPHARDT, Mr. BONIOR, Mr. FAZIO of California, Ms. PELOSI, and Mr. BORSKI):

H.R. 712. A bill to facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Development Corporation, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Banking and Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO:

H.R. 713. A bill to facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Development Corporation, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Banking and Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committees concerned.

By Mr. DOYLE:

H.R. 714. A bill to designate the Department of Veterans Affairs nursing care center at the Department of Veterans Affairs medical center in Aspinwall, PA, as the ''H. John Heinz III Department of Veterans Affairs Nursing Care Center''; to the Committee on Veterans' Affairs.

By Mr. DUNCAN (for himself, Mr. SCHUMER, Mr. SHAYS, Mr. MEEHAN, Mr. QUINN, Mr. GREENWOOD, Mr. HILLEARY, Mr. FOLEY, Mr. FATTAH, Mr. KLUG, Mr. MARKEY, Mr. FOX of Pennsylvania, Mr. MCHALE, Mr. LIPINSKI, Mr. HASTINGS of Florida, Mr. MATSUI, Mr. PAYNE, and Mr. ANDREWS):

H.R. 715. A bill to amend the Higher Education Act of 1965 to revise the campus security reporting provisions to provide for a more complete, timely, and accurate disclosure of crime reports and statistics, and to provide for specific methods of enforcement of the campus security provisions of such Act; to the Committee on Education and the Workforce.

By Mr. DUNCAN (for himself, Mr. SHAYS, Mr. HAYWORTH, Mr. ROHRABACHER, Mr. PORTER, Mr. STEARNS, Mr. CANADY of Florida, and Mr. HERGER):

H.R. 716. A bill to require that the Federal Government procure from the private sector the goods and services necessary for the operations and management of certain Government agencies, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLAKE:

H.R. 717. A bill to amend the Higher Education Act of 1965 to continue the exemption of certain institutions of higher education serving minorities from default-based ineligibility for student loan programs; to the Committee on Education and the Workforce.

By Mr. FOLEY (for himself, Mr. FRANKS of New Jersey, Mr. HOEKSTRA, Mr. KLUG, Mr. MEEHAN, Mr. ROHRABACHER, Mr. SCARBOROUGH, and Mr. SOLOMON):

H.R. 718. A bill to privatize certain Federal power generation and transmission assets, and for other purposes; to the Committee on Resources, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK of Massachusetts:

H.R. 719. A bill to amend the Elementary and Secondary Education Act of 1965 to allow children who meet certain criteria to attend a school that receives funds under part A of title I of such act; to the Committee on Education and the Workforce.

H.R. 720. A bill to terminate the international military education and training [IMET] program for Indonesia; to the Committee on International Relations.

H.R. 721. A bill to amend the Internal Revenue Code of 1986 to correct the treatment of tax-exempt financing of professional sports facilities; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington (for himself, Mr. TALENT, Mr. NETHERCUTT, Mr. MANZULLO, Mrs.

KELLY, Mr. COMBEST, Mr. CUNNINGHAM, Mr. HOEKSTRA, Mrs. LINDA SMITH of Washington, Mr. GOODLING, Mr. CHABOT, Mr. MCHUGH, Mr. BARTLETT of Maryland, Mr. MCINTOSH, Mr. BARR of Georgia, Mr. SCARBOROUGH, Mr. GILLMOR, Mr. CONDIT, Mr. SNOWBARGER, Mrs. EMERSON, Mr. MORAN of Kansas, Mr. WATKINS, Mr. COOKSEY, and Ms. HARMAN):

H.R. 722. A bill to amend the Internal Revenue Code of 1986 to exempt certain small businesses from the required use of the electronic fund transfer system for depository taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. HOSTETTLER:

H.R. 723. A bill to require the U.S. Trade Representative to determine whether the European Union has failed to implement satisfactorily its obligations under certain trade agreements relating to U.S. meat and pork exporting facilities, and for other purposes; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island (for himself and Mr. FOX of Pennsylvania):

H.R. 724. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for the payment of interest on student loans; to the Committee on Ways and Means.

By Mr. LEWIS of Kentucky (for himself, Mr. CRAPO, Mr. BUNNING of Kentucky, Mr. NETHERCUTT, Mr. CHAMBLISS, Mr. CANADY of Florida, Mr. HOSTETTLER, Mr. LAHOOD, Mr. LATHAM, Mr. HEFNER, Mr. LEACH, Mr. HOLDEN, Mrs. CHENOWETH, Mr. EWING, Mr. BARRETT of Nebraska, Mr. NEY, Mr. EVANS, Mr. POSHARD, and Mr. PASTOR):

H.R. 725. A bill to amend the Competitive, Special, and Facilities Research Grant Act to provide increased emphasis on competitive grants to promote agricultural research projects regarding precision agriculture and to provide for the dissemination of the results of such research projects; to the Committee on Agriculture.

By Mrs. MALONEY of New York (for herself, Mr. BONIOR, Mrs. CARSON, Ms. CHRISTIAN-GREEN, Mr. CLYBURN, Mr. DELLUMS, Mr. EVANS, Mr. FATTAH, Mr. FOGLIETTA, Mr. FROST, Mr. GUTIERREZ, Ms. JACKSON-LEE, Mr. KILDEE, Mr. LEWIS of Georgia, Mr. NADLER, Ms. NORTON, Mr. OWENS, Mr. RUSH, Mr. SERRANO, and Mr. TOWNS):

H.R. 726. A bill to authorize the Secretary of Housing and Urban Development to make grants to nonprofit community organizations for the development of open space on municipally owned vacant lots in urban areas; to the Committee on Banking and Financial Services.

By Ms. MOLINARI:

H.R. 727. A bill to amend chapter 51 of title 18, United States Code, to establish Federal penalties for the killing or attempted killing of a law enforcement officer of the District of Columbia, and for other purposes; to the Committee on the Judiciary.

By Mr. OBERSTAR:

H.R. 728. A bill to amend title 5, United States Code, to provide that service performed by air traffic second-level supervisors and managers be made creditable for retirement purposes; to the Committee on Government Reform and Oversight.

By Mr. PITTS:

H.R. 729. A bill to amend certain provisions of title 5, United States Code, relating to the treatment of Members of Congress and congressional employees for retirement purposes; to the Committee on Government Reform and Oversight, and in addition to the Committee on House Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSHARD:

H.R. 730. A bill to prohibit Members of the House of Representatives from using official funds for the production or mailing of newsletters, to reduce by 50 percent the amount wihch may be made available for the official mail allowance of any such Member, and for other purposes; to the Committee on House Oversight.

By Mr. POSHARD (for himself and Mr. GOODE):

H.R. 731. A bill to amend the Internal Revenue Code of 1986 to permit the interest on water, waste, and essential community facilities loans guaranteed by the Secretary of Agriculture to be tax exempt; to the Committee on Ways and Means.

By Mr. RICHARDSON:

H.R. 732. A bill to authorize an appropriation for the construction of a public museum located in, and relating to the history of, the State of New Mexico; to the Committee on Resources.

By Ms. RIVERS:

H.R. 733. A bill to direct the Administrator of the Environmental Protection Agency to provide for a review of a decision concerning a construction grant for the Ypsilanti Wastewater Treatment Plant is Washtenaw County, MI; to the Committee on Transportation and Infrastructure.

By Mr. STARK:

H.R. 734. A bill to amend titles XVIII and XIX of the Social Security Act to require hospitals participating in the Medicare or Medicaid Program to provide notice of availability of Medicare and Medicaid providers as part of discharge planning and to maintain and disclose information on certain referrals; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 735. A bill to amend the Internal Revenue Code of 1986 and title XVIII of the Social Security Act to establish a program of assistance for essential community providers of health care services, to establish a program to update and maintain the infrastructure requirements of safety net hospitals, and to require States to develop plans for the allocation and review of expenditures for the capital-related costs of health care services; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUMP (for himself and Mr. FOX of Pennsylvania);

H.R. 736. A bill to repeal the Federal estate and gift taxes; to the Committee on Ways and Means.

By Mr. TIAHRT (for himself, Mr. SNOWBARGER, Mr. MORAN of Kansas, and Mr. RYUN):

H.R. 737. A bill to amend the International Air Transportation Competition Act of 1979; to the Committee on Transportation and Infrastructure.

By Mr. TRAFICANT:

H.R. 738. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act with respect to myelogram-related arachnoiditis; to the Committee on Commerce.

H.R. 739. A bill to amend the Public Health Service Act with respect to increasing the number of health professionals who practice in the United States in a field of primary health care; to the Committee on Commerce.

By Mr. WELLER (for himself, Mr. DAVIS of Illinois, and Mr. SHIMKUS):

H.R. 740. A bill to designate the national cemetery established at the former site of the Joliet Arsenal, IL, as the ''Abraham Lincoln National Cemetery''; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Alaska (for himself, Mr. TANNER, and Mr. STEARNS):

H.R. 741. A bill to clarify hunting prohibitions and provide for wildlife habitat under the Migratory Bird Treaty Act; to the Committee on Resources.

By Mr. DREIER:

H.J. Res. 51. Joint resolution proposing an amendment to the Constitution of the United States to repeal the 22d amendment relating to Presidential term limitations; to the Committee on the Judiciary.

By Mr. BARTON of Texas (for himself, Mr. HALL of Texas, Mr. SHADEGG, Mr. TAYLOR of Mississippi, Mr. SAXTON, Mr. CONDIT, Mr. CRANE, Mr. ANDREWS, Mr. HUNTER, Mr. GOODE, Mr. ADERHOLT, Mr. ARMEY, Mr. BACHUS, Mr. BALLENGER, Mr. BARR of Georgia, Mr. BARRETT of Nebraska, Mr. BARTLETT of Maryland, Mr. BASS, Mr. BILBRAY, Mr. BLILEY, Mr. BLUNT, Mr. BOEHNER, Mr. BONILLA, Mr. BONO, Mr. BRADY, Mr. BRYANT, Mr. BUNNING, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. CALLAHAN, Mr. CAMP, Mr. CANNON, Mr. CHABOT, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. CHRISTENSEN, Mr. COBLE, Mr. COBURN, Mr. COLLINS, Mr. COMBEST, Mr. COOK, Mr. COOKSEY, Mr. COX of California, Mr. CRAPO, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. DEAL of Georgia, Mr. DELAY, Mr. DOOLITTLE, Mrs. EMERSON, Mr. ENGLISH of Pennsylvania, Mr. ENSIGN, Mr. EWING, Mr. FOLEY, Mrs. FOWLER, Mr. FOX of Pennsylvania, Mr. GIBBONS, Mr. GINGRICH, Mr. GOODLATTE, Mr. GOODLING, Mr. GOSS, Mr. GRAHAM, Ms. GRANGER, Mr. GREENWOOD, Mr. HANSEN, Mr. HASTERT, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HILLEARY, Mr. HOEKSTRA, Mr. HORN, Mr. HULSHOF, Mr. INGLIS of South Carolina, Mr. ISTOOK, Mr. SAM JOHNSON, Mr. JONES, Mr. KASICH, Mrs. KELLY, Mr. KINGSTON, Mr. KOLBE, Mr. LAHOOD, Mr. LARGENT, Mr. LATHAM, Mr. LATOURETTE, Mr. LEWIS of California, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LOBIONDO, Mr. LUCAS of Oklahoma, Mr. MANZULLO, Mr. MCCOLLUM, Mr. MCCRERY, Mr. MCHUGH, Mr. MCINTOSH, Mr. MCKEON, Mr. METCALF, Mr. MICA, Mr. MILLER of Florida, Ms. MOLINARI, Mr. NEY, Mr. NORWOOD, Mr. OXLEY, Mr. PACKARD, Mr. PETERSON of Pennsylvania, Mr. PICKERING, Mr. RAMSTAD, Mr. RIGGS, Mr. ROGAN, Mr. ROHRABACHER, Mr. ROYCE, Mr. SALMON, Mr. SANFORD, Mr. SCARBOROUGH, Mr. BOB SCHAFFER, Mr. SESSIONS, Mr. SHIMKUS, Mr. SKEEN, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mrs. LINDA SMITH of Washington, Mr. SMITH of Michigan, Mr. SNOWBARGER, Mr. SOLOMON, Mr. SOUDER, Mr. STEARNS, Mr. STUMP, Mr. TALENT, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. THORNBERRY, Mr. TIAHRT, Mr. WAMP, Mr. WATKINS, Mr. WATTS of Oklahoma, Mr. WELDON of Florida, Mr. WELDON of Pennsylvania, Mr. YOUNG of Alaska, Mr. KLUG, and Mr. SPENCE):

H.J. Res. 52. Joint resolution proposing an amendment to the Constitution of the United States with respect to tax limitations and

the balanced budget; to the Committee on the Judiciary.

By Mr. POSHARD:

H.J. Res. 53. Joint Resolution proposing an amendment to the Constitution of the United States relating to a Federal balanced budget; to the Committee on the Judiciary.

By Mr. DOYLE:

H. Con. Res. 20. Concurrent resolution expressing the sense of the Congress that the President should award a Medal of Honor to Wayne T. Alderson in recognition of acts performed at the risk of his life and beyond the call of duty while serving in the U.S. Army during World War II; to the Committee on National Security.

By Mr. HYDE:

H. Res. 51. Resolution providing amounts for the expenses of the Committee on the Judiciary in the 105th Congress; to the Committee on House Oversight.

By Mr. CANADY of Florida:

H. Res. 52. Resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mrs. MALONEY of New York (for herself, Ms. CHRISTIAN-GREEN, Mr. CUMMINGS, Mr. FARR of California, Mr. FATTAH, Ms. MCKINNEY, Mr. MILLER of California, Ms. NORTON, Mr. OLVER, Mr. PAYNE, Ms. PELOSI, Mr. SANDERS, and Ms. JACKSON-LEE):

H. Res. 53. Resolution amending the Rules of the House of Representatives to require that committee reports accompanying reported bills and joint resolutions contain a detailed analysis of the impact of the bill or joint resolution on children; to the Committee on Rules.

By Mr. TALENT:

H. Res. 54. Resolution providing amounts for the expenses of the Committee on Small Business in the 105th Congress; to the Committee on House Oversight.

By Mr. THOMAS:

H. Res. 55. Resolution providing amounts for the expenses of the Committee on House Oversight in the 105th Congress; to the Committee on House Oversight.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRYANT:

H.R. 742. A bill for the relief of Florence Barrett Cox; to the Committee on the Judiciary.

By Mr. DOYLE:

H.R. 743. A bill for the relief of Wayne T. Alderson; to the Committee on National Security.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 15: Mr. HOUGHTON, Ms. DUNN of Washington, Ms. MOLINARI, Mr. CUNNINGHAM, Mr. ENGLISH of Pennsylvania, Mr. NEY, Mr. COBURN, Mr. FOX of Pennsylvania, Mr. PORTMAN, Ms. PRYCE of Ohio, Mr. GALLEGLY, Mr. BURR of North Carolina, Mr. FOLEY, Mr. GRAHAM, Mrs. KELLY, Mr. RAMSTAD, Mr. HORN, Mr. UPTON, Mr. SHAW, Mr. CAMP, Mr. SMITH of New Jersey, Mr. WALSH, Mr. STEARNS, Mr. HASTERT, Mr. GANSKE, Mr. SERRANO, Mr. MCDERMOTT, Mr. HALL of Ohio, Mr. COYNE, Mr. FROST, Mr. DELLUMS, Mr. STARK, Mr. MATSUI, Mrs. MEEK of Florida, Mr. OLVER, Mr. BORSKI, Mr. DELAHUNT, Mrs. THURMAN, Mr. PRICE of North Carolina, Mr. WISE, Mr. CUMMINGS, Mr. HOLDEN, Ms. FURSE, Mr. NEAL of Massachusetts, and Mr. WEXLER.

H.R. 18: Mr. MCHALE, Mr. OBERSTAR, Mr. SANDERS, Mr. STUMP, Mr. COSTELLO, Mr. FROST, Mr. MARTINEZ, Mr. SKELTON, Ms. LOFGREN, Mr. SCHIFF, Mr. GEJDENSON, Ms. RIVERS, Mr. LEWIS of Kentucky, Mr. FILNER, Mr. MORAN of Kansas, Mr. MCHUGH, Mr. EVANS, and Mr. LAFALCE.

H.R. 27: Mr. MCINTOSH, Mr. SESSIONS, Mrs. EMERSON, Mr. GRAHAM, Mr. LEWIS of Kentucky, and Mr. GOODE.

H.R. 34: Mrs. MYRICK and Mr. PACKARD.

H.R. 58: Mr. SOLOMON, Mr. PAYNE, Mrs. TAUSCHER, Mr. MALONEY of Connecticut, Mr. FLAKE, Mr. WELDON of Florida, Mr. SMITH of New Jersey, Mr. PITTS, Mr. EHLERS, and Mr. GOODLATTE.

H.R. 59: Mr. PAUL, Mr. DREIER, Mr. HEFLEY, Mr. CHRISTENSEN, and Mr. SAM JOHNSON.

H.R. 86: Mr. BONILLA and Ms. KAPTUR.

H.R. 96: Mr. CALLAHAN and Mr. BEREUTER.

H.R. 145: Mr. KING of New York and Mr. SERRANO.

H.R. 192: Mr. FOLEY, Mr. PORTER, Mr. CONYERS, Mrs. THURMAN, Mr. BILBRAY, Ms. LOFGREN, Mrs. LOWEY, Mr. FLAKE, and Mr. GILCHREST.

H.R. 203: Ms. FURSE.

H.R. 213: Mr. FATTAH, Mr. BLAGOJEVICH, Mr. TOWNS, and Mr. FOGLIETTA.

H.R. 248: Mr. PICKERING, Mr. MCGOVERN, Mrs. MYRICK, Mr. LIPINSKI, Mr. GIBBONS, and Ms. RIVERS.

H.R. 249: Mr. WATTS of Oklahoma, Mr. PICKERING, Mrs. MYRICK, and Mr. INGLIS of South Carolina.

H.R. 258: Mr. OLVER.

H.R. 272: Mr. INGLIS of South Carolina.

H.R. 291: Mr. MANTON.

H.R. 339: Mr. TAYLOR of Mississippi, Mr. SESSIONS, Mrs. CUBIN, and Mr. STUMP.

H.R. 343: Mr. POSHARD.

H.R. 345: Mrs. CUBIN, Mr. JONES, Mr. HEFLEY, Mr. SESSIONS, Mr. MCKEON, Mr. COOKSEY, Mr. ENSIGN, Mr. HERGER, Mr. EHLERS, Mr. HUNTER, Mr. BATEMAN, Mr. BUNNING of Kentucky, Mr. COBLE, Mr. PICKETT, Mr. INGLIS of South Carolina, Mr. TALENT, Mr. HORN, Mr. STEARNS, Mr. HOSTETTLER, Mr. MCCOLLUM, Mr. LINDER, Mr. COLLINS, Mr. ROGERS, Mr. SAM JOHNSON, and Mr. EVERETT.

H.R. 347: Mrs. CUBIN, Mr. HERGER, Mr. MCKEON, Mr. PACKARD, Mr. SOLOMON, and Mr. TAYLOR of Mississippi.

H.R. 366: Mr. CLYBURN.

H.R. 371: Mr. BONIOR, Mr. FOGLIETTA, Mr. DELLUMS, Mr. UNDERWOOD, and Mrs. MINK of Hawaii.

H.R. 373: Mr. FOGLIETTA, Mr. FATTAH, and Mr. ACKERMAN.

H.R. 382: Mr. COBURN, Ms. JACKSON-LEE, Ms. STABENOW, and Mr. WEXLER.

H.R. 383: Mr. DELLUMS, Mr. MARTINEZ, and Mr. DEFAZIO.

H.R. 411: Mr. ACKERMAN, Mr. MCDERMOTT, Mr. BENTSEN, and Mrs. JOHNSON of Connecticut.

H.R. 414: Mr. FOLEY, Mr. PORTER, Mr. CONYERS, Mrs. THURMAN, Mr. BILBRAY, Ms. LOFGREN, Mrs. LOWEY, Ms. PRYCE of Ohio, and Mr. GILCHREST.

H.R. 444: Mr. EVANS and Mr. FOGLIETTA.

H.R. 446: Mr. SENSENBRENNER, Mr. KOLBE, Mr. MORAN of Kansas, Mr. ACKERMAN, Mr. EWING, Mr. KLECZKA, and Mr. SANDLIN.

H.R. 450: Mr. HILLEARY, Mrs. KENNELLY of Connecticut, Mrs. NORTHUP, and Mr. GORDON.

H.R. 452: Mr. FILNER and Mr. DELLUMS.

H.R. 453: Mr. PALLONE, Ms. MOLINARI, Mrs. MALONEY of New York, Mr. NEAL of Massachusetts, Mr. MANTON, Mr. HINCHEY, Mr. CUMMINGS, Ms. FURSE, Mrs. LOWEY, Mr. PORTER, Ms. JACKSON-LEE, and Mr. GALLEGLY.

H.R. 455: Mr. GEJDENSON.

H.R. 474: Mr. HASTERT, Mr. GEJDENSON, Mrs. KELLY, Mr. GONZALEZ, Mr. BRYANT, Mr. CUNNINGHAM, Mr. GILLMOR, Mr. NEY, Mr. DEFAZIO, Mr. KIM, and Mr. FATTAH.

H.R. 475: Mr. BORSKI and Mr. STUPAK.

H.R. 476: Mr. OWENS, Mr. SHERMAN, Ms. FURSE, Mr. CONYERS, Mr. FORD, Mr. WEXLER, Mr. PAYNE, and Mr. THOMPSON.

H.R. 491: Ms. RIVERS, Mrs. MORELLA, Mr. PACKARD, Mr. UNDERWOOD, Mr. FOLEY, and Mr. FOX of Pennsylvania.

H.R. 493: Mr. MORAN of Virginia.

H.R. 500: Mr. RUSH.

H.R. 521: Mr. MCHUGH, Mr. WALSH, Ms. LOFGREN, Ms. JACKSON-LEE, and Ms. RIVERS.

H.R. 528: Mr. HORN and Mr. GONZALEZ.

H.R. 551: Mrs. MORELLA.

H.R. 553: Mr. FORD, Ms. PELOSI, Mrs. CLAYTON, Mr. FATTAH, Mr. BOUCHER, Mr. WATT of North Carolina, and Mr. GONZALEZ.

H.R. 554: Mr. BASS.

H.R. 564: Mr. DELLUMS.

H.R. 586: Mr. BOSWELL, Mrs. FOWLER, Mr. GILCHREST, Mr. HEFNER, Mr. HILLEARY, Mr. HOLDEN, Ms. JACKSON-LEE, and Mr. SMITH of Michigan.

H.R. 588: Mr. PORTER, Mr. DELLUMS, Mr. WAXMAN, Mr. LANTOS, Mr. GILCHREST, and Mr. WELDON of Pennsylvania.

H.R. 607: Mr. PACKARD and Mr. LUTHER.

H.R. 612: Mr. BOSWELL, Mrs. TAUSCHER, Mr. SABO, Mr. BERRY, and Mr. RICHARDSON.

H.R. 621: Mr. ACKERMAN, Mr. CLYBURN, Mr. EVANS, Mr. FATTAH, Ms. LOFGREN, Ms. PELOSI, Mr. SANDERS, and Mr. WAXMAN.

H.R. 622: Mr. CRANE, Mr. ROYCE, Mr. ARCHER, Mr. GANSKE, Mr. KNOLLENBERG, Mr. WICKER, and Mr. KING of New York.

H.R. 630: Mr. CONDIT.

H.R. 640: Mr. BRYANT, Mrs. EMERSON, Mr. ROHRABACHER, and Mr. WHITFIELD.

H.R. 645: Mr. SENSENBRENNER and Mr. KLUG.

H.R. 646: Mr. SENSENBRENNER and Mr. KLUG.

H.R. 659: Mr. LAHOOD, Mr. GILLMOR, Mr. SOLOMON, Mrs. LINDA SMITH of Washington, Mr. SENSENBRENNER, Mr. SHADEGG, Mr. PETRI, and Mr. BRYANT.

H.R. 665: Mr. LEACH.

H.R. 674: Mr. BISHOP, Mr. BARR of Georgia, Mrs. THURMAN, Mr. SHAW, and Mr. ROGERS.

H.R. 688: Mr. BALLENGER, Mr. HEFNER, Mr. ADERHOLT, Mr. PRICE of North Carolina, and Mrs. CUBIN.

H.J. Res. 1: Mr. NETHERCUTT, Mr. RADANOVICH, and Mr. BOEHLERT.

H.J. Res. 26: Mr. SENSENBRENNER and Mr. WELDON of Florida.

H.J. Res. 27: Mr. FOLEY.

H.J. Res. 47: Mr. FROST, Mr. MCGOVERN, and Mr. LIPINSKI.

H. Con. Res. 2: Mr. RUSH, Mrs. MALONEY of New York, Mr. HILLIARD, Mr. ADAM SMITH of Washington, Mr. RANGEL, and Mr. SERRANO.

H. Con. Res. 4: Mr. MCDERMOTT.

H. Con. Res. 13: Mr. STEARNS, Mr. CONDIT, Mrs. KELLY, Mr. MCDADE, Mr. TOWNS, Mr. TAYLOR of Mississippi, Mr. DEFAZIO, Mr. NEY, Mr. FRANK of Massachusetts, Mr. KILDEE, Mr. BROWN of California, Mr. ACKERMAN, Mr. SMITH of New Jersey, Mr. MATSUI, Mr. HOYER, Mr. SKELTON, Mrs. MEEK of Florida, Ms. PELOSI, Mr. MCDERMOTT, Mr. GONZALEZ, Mr. MCGOVERN, Mr. BATEMAN, Mr. GILCHRIST, Mr. PICKETT, Mr. FILNER, Mr. GALLEGLY, and Mr. BALDACCI.

H. Res. 30: Mr. TIAHRT and Mr. SCARBOROUGH.

H. Res. 38: Mr. HILLIARD, Mr. BARTLETT of Maryland, Mr. FROST, Ms. RIVERS, Mr. LAMPSON, Mr. ANDREWS, Mr. MCDERMOTT, Mr. MEEHAN, and Mr. BENTSEN.

H. Res. 48: Mr. WALSH, Mr. GALLEGLY, Mr. CONYERS, Mr. MCHUGH, Mr. ENGLISH of Pennsylvania, and Mr. LATHAM.