

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

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

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

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

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

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

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

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

Santayana also observed that those who fail to learn from history are condemned to repeat it. Today’s debate fulfills that prophecy. When one examines the history of the Presidential term limit. Moreover, only two Presidents—Republicans—have found themselves con-

strained by it, and the Republicans sought vigorously to find away around it for the patron saint of their party, President Reagan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

save their own political image. I urge my fellow Members to reject this false attempt to kill term limits. Let us listen to the people who sent us here and pass the term limits that they have passed. Vote "no" this substitute and vote "yes" on final passage of term limits.

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

Mr. Chairman, there have been four national polls on term limits in the past 4 or 5 months, and all have overwhelmingly supported retroactivity.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. BARTON].

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Chairman, I rise in support of the Dingell-Peterson amendment, and I want to make several things absolutely crystal clear.

No. 1, I drafted this amendment as the Barton amendment, not knowing that the gentleman from Michigan [Mr. DINGELL] and the gentleman from Florida [Mr. PETERSON] had already drafted the amendment. When I found out that they had already presented it to the Committee on Rules, I asked if I could add my name to the bill. But I had drafted the identical amendment that is before us, so I do not consider this to be necessarily the Democratic amendment.

No. 2, if this passes, I am going to vote for it on final passage. I am not doing this simply as some sort of subterfuge. I am doing it because, as has been pointed out repeatedly on the floor this afternoon, overwhelming numbers of American citizens support term limits. They happen to think that if we pass a term-limit bill, it should be effective immediately, not 12 years from now, not 19 years from now, that it should be effective immediately.

Now, I have the greatest respect for people like the gentleman from Florida, Mr. BILL MCCOLLUM, and the gentleman from South Carolina, Mr. BOB INGLIS, who have steadfastly for many years campaigned on term limits and support term limits and say they are going to abide by their self-imposed limit whether the Congress passes anything or not. So I think they are totally sincere. But the bills they are supporting do not take effect immediately.

There is only one bill that automatically takes effect immediately. That is this one and, you can perhaps make the argument, the bill of the gentleman from Tennessee [Mr. VAN HILLEARY], which gives the States the right to set a term-limit bill that would be effective immediately.

If there is a problem that term limits is the real solution to, the problem is current Members of Congress that have already been here too long. This is the only vote that affects those people today. If we pass the Dingell-Peterson

amendment, they will not apply for re-election in their primaries in the spring of 1996. They would not be allowed to.

Term limits are an issue which needs to be debated on the floor of the House of Representatives. We should commend the Republican leadership for doing that. We should commend the Republicans like the gentleman from Florida [Mr. MCCOLLUM] and the gentleman from South Carolina [Mr. INGLIS], and others who have worked so hard to bring the issue before the American people.

Mr. Chairman, I would hope that all Republicans would vote for this substitute because again, it solves the problem that term limits are supposed to solve. It affects us in this body today. Today. And if we are not willing to vote for this, unless you are willing to limit yourself individually, like the gentleman from South Carolina [Mr. INGLIS] is, then you are really not a supporter of term limits.

Mrs. FOWLER. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. GOODLATTE].

Mr. GOODLATTE. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, I rise in strong support of term limits, but I am not going to participate in what I perceive to be a sham, in suggesting that after we have had term limits adopted by the people of 22 different States and all of them have adopted them without retroactivity, that somehow people want to have retroactive term limits. In fact, the proof is in Washington State. The voters there had term limits offered to them with retroactivity. They rejected them, brought them back 2 years later without a retroactive provision, and they passed them.

Mr. Chairman, let us not fool ourselves. This is an effort to provide cover for people who do not truly support term limits. If you do not believe it, look and see what they do on the final vote for final passage of a constitutional amendment for term limits. They are not going to vote for it unless it has this retroactivity in it, when, in point of fact, term limits will apply going forward prospectively anyway.

Why not support it even if you do not get your retroactivity that you seem to want to have, when you can still impose term limits on yourself if you are a Member of Congress?

Now, the reason why retroactive term limits are a bad idea is very simple: We hear those who oppose term limits all the time telling us we should not lose the institutional memory of this House of Representatives. Yet they want to turn around and in one single election cycle, turn over half of the membership of the House of Representatives, and you take those who have been here more than 12 years, add to those who will voluntarily leave, as many Members do before they ever get to term limits, add to that those who are defeated and those who run for other offices, and you will have close

to, if not in excess of, one-half of the Members of this House leaving at one time.

Term limits should be phased in. That is why they have been made prospective in every single State that has enacted term limits, and that is why they should be made prospective only as we vote on them in this House of Representatives as well.

Mr. Chairman, I urge my colleagues to reject what is a sham, and I urge everyone to look at who votes for real term limits on the final vote today to tell you who really supports them.

Mr. PETERSON of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. GUTIERREZ].

Mr. GUTIERREZ. Mr. Chairman, I often hear Republicans say we need term limits because "It's time to clean out the barn." I have never said that in a campaign. First of all, in Chicago I am not sure what kind of response we would be getting because there are not a lot of barns. Maybe in Chicago we would say something like "It is time to shovel the snow off the street."

When I hear someone say "We need to clean out the barn," it sounds like something that is awfully important, not a few years down the road, but today, right now. And it should not wait until you have sold the farm and turned over the cleaning to someone else.

So I do not understand when those who have been in Congress for 12, 20, 25 years say they support term limits, but they plan to stick around Washington just a little bit longer, because these are the same folks that said "We have got to clean out the barn."

Fine, grab a broom, clean out the barn. But what happens when it turns out that you are the one who is making the mess? What happens when you look at your own resume and realize that you have been here for 12 years or more and your limit is up? Well, then you better get out of the barn, too.

That is what the Dingell-Peterson amendment does. It turns term limits from rhetorical cheap shot into real change. Retroactivity, Mr. Chairman, cleans out the barn now.

Look, this amendment is not a cheap shot. It is not a threat to you or anyone else. It is an opportunity for everyone, an opportunity to prove that you are serious.

Now, if you still want a 12-year limit and you have been here more than that, there is a very simple option. There is the door. It is very easy to get to National Airport. It takes about 10 minutes from here. And if you are a Member of Congress, they have even got a free parking lot there for you.

You know, people say that they are opposed to retroactivity because the people are not for it, and as evidence for this they point to various polls. Well, Mr. Chairman, in a recent CNN-USA Today-Gallup poll, respondents were asked, if there is a 12-year term limit for Members of Congress, do you think Members should be allowed to

run for another 12 years in office, or should current Members who have been in Congress 12 years not run again?

Seventy-one percent of the respondents replied that such Members should not be allowed to run again. Mr. Chairman, if we are going to put our faith in polls, we should put our faith in all the polls and be consistent.

Mrs. FOWLER. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Chairman, I very much appreciate my colleague yielding this time. She knows my general position on term limits and is most generous in offering that time.

Term limits, my colleagues, were a part of the Articles of Confederation. During the debates leading to ratification of our Constitution, our Founding Fathers soundly rejected that idea.

Today term limits as a populist issue has come about because of a deep-seated frustration that has boiled over because of the people's sense that their Congress was not responding to the public's priorities.

During the last two elections, that same public reflected by their actions that the genius of our Founding Fathers continues to work in our system. They simply decided to throw many of the rascals out. Today over one-half of my conference is made up of people who have been here essentially 2 years or less.

With that in mind, let me share with you the words of one of those early founders. "The people are the best judges of who ought to represent them. To dictate and control them, to tell them whom they ought to elect, is to abridge their natural rights." He goes on to say, "We all know that experience is indispensably necessary to good government. Shall we, then, drive experience into obscurity? I repeat, this is an absolute abridgement of the people's rights." That quote is from Robert Livingston during the New York debates on ratification of our Constitution.

Robert Livingston, reflecting the genius of our earliest leaders, made two points which I wish to emphasize. First, the people's right to choose should not be abridged. Term limits today reflects the people's frustration with Members elected in other people's districts. Today in America people across the country essentially want their own Member to remain in Congress. Let us not detract from the people's right to choose whom they wish to serve as their Representative.

Livingston's second point, experience is a necessary ingredient in our representative system. That is very fundamental to our work. Without it, we completely turn our Government over to the unelected bureaucrat.

I do not know about you, but it took this Member a few years to really understand the challenges involved in making the people's government work. Maybe some of my colleagues were struck with inspired genius the day they were elected to office. I would

submit, however, that for most of us it takes a few years to really do this very tough job, and even more to do it well.

So one more time, do not leave our Government in the hands of the unelected. Experience is necessary, and citizens in each district have the good sense and, indeed, the responsibility to know there is a difference.

A last point, not from Robert Livingston, but from myself. I will not vote for the retroactive amendment because I do not believe in term limits. I believe in the people's government that is the result of the people's choice. If applied retroactively, this proposal would overnight eliminate from the House the likes of HENRY HYDE, Speaker NEWT GINGRICH, RICHARD GEPHARDT, LEE HAMILTON, and, yes, even our own BOB LIVINGSTON, giants of our time without whose leadership and dedication the people's House would be severely diminished.

But if you, my colleagues, happen to be one of those who is considering to vote for term limits, I would suggest in all sincerity that you ought to go down the hall and take a look in the mirror. Look very closely. Are you sure you are not just reacting to the fear of a populist firestorm and, in doing that, you have traded in your responsibility in this body to lead.

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Mr. PETERSON of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. BENTSEN].

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

Mr. BENTSEN. Mr. Chairman, first let me state for the record that the voters of Houston have voted twice for retroactive term limits. I think some of the speakers should do their research so that they know that. Twice they voted for retroactive term limits and the city of Houston continues to be strong and vibrant.

My colleagues, if we feel compelled to change the Constitution, which has worked effectively for over 200 years, in order to limit the people's right to choose their representatives, then we must do so not haphazardly, but fully. It is hypocritical of this House to say it is for term limits, and yet give members 6, 12, or 24 more years in Congress as House Joint Resolution 73 and the other substitutes would do.

What is the point of term limits if they do not take effect immediately? Why should my friend, the chairman of the Ways and Means Committee, who hails from the great State of Texas, who was first elected when I was 11 years old, be given 12 more years? Thirty-six years is a career to many Americans.

I do not want to single out my fellow Texans. Many Members on both sides of the aisle could be examples of the folly of House Joint Resolution 73. Rather, I do so out of fairness.

I further notice that one of the advocates of House Joint Resolution 73 was

quoted as stating that retroactive term limits would violate the American sense of fairness and change the rules in the middle of the game. Let me submit to you that any term limit changes the rules in the middle of the game. And speaking to the freshman, how is it fair that we perpetuate the seniority system?

Mrs. FOWLER. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. TORKILDSEN].

Mr. TORKILDSEN. Mr. Chairman, I thank my colleague and friend, the gentlewoman from Florida [Mrs. FOWLER] for yielding time to me.

Mr. Chairman, I rise today in opposition to this amendment, which is a charade.

Caveat Emptor. Let the buyer beware. We should all beware of this amendment, given that two of its three sponsors oppose any and all term limits. Given their opposition, why would they offer a trojan horse limit? Simply put, to scuttle any chance of term limits passing in this House.

The only term limit amendment debated and passed by Congress was in the Republican 80th Congress in 1947. This term limit became known as the 22d amendment. It was specifically not retroactive, and specifically excluded the sitting President of the United States—Harry S. Truman. For very logical reasons, a precedent was established when Congress voted against retroactive term limits in 1947.

I oppose retroactive laws in general, as I opposed President Clinton's retroactive tax increase in 1993. Personally, I pledged, prior to my election in 1992, that I would voluntarily serve no more than six terms, so retroactivity will not affect my length of service.

Of the 22 States whose voters have passed term limits, none—I repeat, none—have imposed them retroactively. Clearly, the voters of 22 States have spoken on the issue of retroactivity.

Serving in Congress should not be a lifetime career. I urge my colleagues to vote against this charade of a substitute, and vote for genuine term limits.

Mr. PETERSON of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Alabama [Mr. BROWDER].

Mr. BROWDER. Mr. Chairman, I rise in support of retroactive term limits. As a matter of fact, Mr. Chairman, I am going to vote for anything up on that board regarding term limits and for final passage.

Last year, when we were closing the term and I saw that we were not going to pass campaign reform, we were not going to pass lobby reform, I decided if we are not going to change the way we do business around here, then maybe term limits is a good idea. And I think that is true today.

I look around on the agenda. I do not see cleaning up the way we do things around here with lobby reform or campaign reform. I do not even see it on

the horizon. So let us do something different. Let us vote for term limits and let us make them retroactive.

Mrs. FOWLER. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. SOUDER].

Mr. SOUDER. Mr. Chairman, as Forrest Gump might say, the Democrats are like a box of chocolates, you never know what you are going to get.

But unlike Forrest Gump, the American people are not gullible enough to believe that the Democrats are taking this amendment and proposal seriously. This is how the Democratic-sponsored proposal will affect House Democrats: 82 of them can just resign right now. Under this amendment, 82 of them would no longer be here. Thirty should have left 8 years ago at least. Even two of the proponents of this retroactive proposal have been in Congress longer than 12 years and thus will be ousted by their own proposals.

One sponsor has served 40 years. He is like 3½ Congressmen. When you go out and talk to the average people, they understand the hypocrisy of this particular amendment since we have not had a first hearing on term limits in the House until November 1993. They have been opposed by the prior leadership.

During the 40 years prior to that hearing there was never a single vote on term limits. The former speaker even sued his own constituents on the term limit law.

I, like other of my freshman colleagues, have made a pledge. We will only serve 12 years, whether or not Congress passes an amendment. We are not just voting; we are actually acting. I challenge others who plan to vote for this amendment, as I plan to do, to act, not just talk. People are tired of politicians who just talk. Join with me in committing to resigning after 6 or 12 years, whatever you vote for, whether or not this passes.

Actions speak louder than words.

Mr. PETERSON of Florida. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. ESHOO].

Ms. ESHOO. Mr. Chairman, unlike many Members of Congress, I have actually had term limits applied to me. The San Mateo County Board of Supervisors in California, on which I served, was the first legislative body in California back in the 1970's to adopt term limits. I have seen for myself the value of replacing incumbents with new leadership which brings fresh perspectives to the body politic.

Now we hear Members saying that they are for term limits. They were for them during their campaigns, but they do not insist that a term limits bill apply to everyone here today.

In this Congress I introduced a bill which would allow Members of Congress to serve three terms of 4 years each. I personally believe that the terms should be expanded. Two years and campaigning all year-round I do not think is what our Founding Fa-

thers had in mind. But like many other bills, that has not reached the floor.

My legislation would apply to all of us in this Congress and would be retroactive. Every single day of this 104th Congress has started with a Republican telling America that under the new regime Congress will be required to "live under the same laws as every one else." I think it is time to make this law apply to every one in this House.

If we are going to talk about congressional accountability, it should be applied to term limits as well.

I think the American people deserve some political genuineness in this. I am afraid that with the retroactive issue being left out of the debate, that there is a great deal of political disingenuousness. So I rise in support of the Dingell-Peterson substitute, certainly in terms of the legislation that I sponsored in the 104th Congress, and I urge my colleagues on both sides of the aisle to vote in favor of congressional accountability and term limits for every one here and retroactivity.

Mrs. FOWLER. Mr. Chairman, I yield 3 minutes to the gentleman from South Carolina [Mr. INGLIS].

Mr. INGLIS of South Carolina. Mr. Chairman, I thank the gentlewoman for yielding time to me.

I would rise to make two observations. First, it is very important for everyone to realize that every single person speaking in favor of this particular substitute is opposed to term limits with the exception, I believe, of the gentleman from Florida [Mr. PETERSON]. Every other person who has spoken is against term limits.

That makes an important point. In fact, with all due respect to the gentleman from Michigan [Mr. DINGELL], earlier I asked him on the floor to yield and he was gracious enough to yield. And he told me he is absolutely opposed to term limits. Certainly he is opposed to term limits. Very important point to make.

Folks that are proposing this amendment are adamantly opposed to term limits. So let us make it clear what they are trying to do.

Mr. PETERSON of Florida. Mr. Chairman, will the gentleman yield?

Mr. INGLIS of South Carolina. I yield to the gentleman from Florida.

Mr. PETERSON of Florida. Mr. Chairman, that is absolutely false. I stand before you a strong supporter. I know the gentlewomen from California, Ms. ESHOO, Ms. HARMAN, a whole host of us here are very strongly in support of term limits. And so I would ask the gentleman to retract that.

Mr. INGLIS of South Carolina. Reclaiming my time, I saw you were not listening when I mentioned you as the one person that I knew of at the time. Now I understand there are two more.

Mr. PETERSON of Florida. Mr. Chairman, if the gentleman will continue to yield, there is a whole host of us here.

Mr. INGLIS of South Carolina. That makes three that I know now that sup-

port term limits that are for this substitute. Every other one is opposed, am I not correct? Name another one.

Mr. PETERSON of Florida. There are at least 40 Members on this side. If I can name them, I have got a list. It was printed in the Roll Call this morning. And so it is public knowledge. We are not alone, and this should not be a partisan issue. It is only partisan because it was printed as part of a contract that you all signed.

Mr. INGLIS of South Carolina. Mr. Chairman, reclaiming my time, it is a very important point to make, though, with all due respect, that one of the chief authors of this, and I think everyone who has spoken on the floor, with the few exceptions you have named by name, are adamantly and fundamentally opposed to term limits. So it does not take a rocket scientist to figure out what is going on here.

This is designed to be a poison pill in two ways. The point is, it is a poison pill for the Senate and for the State legislatures. It is very important that we defeat this substitute.

There is another important point to make here. That is, we are talking here about the Democratic alternative. I see my good friend from Massachusetts here, the batter on deck, to get ready to speak. I would point out that we needed to have more Republican votes. It is a very interesting situation here. Eighty percent of the American people favor term limits; 80 percent of the Republican conference favors term limits and will vote for it today.

If the Democratic caucus would simply vote by the same margins and represent America, we would have term limits by the end of the day. But the fact is the Democratic caucus will not represent America at the end of the day. They will not vote by an 80-percent margin for term limits. We will. You will not.

As a result, we will not have term limits. It is very important that we actually come forward and produce the votes. We need votes on your side for term limits today.

Vote in proportion to the American people, 80 percent of you, vote for term limits and we will have it by the end of the day. We will be way over the 290 margin.

Mr. PETERSON of Florida. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. HARMAN].

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Mr. Chairman, I am one of a number of Democrats who rise in strong support of term limits and of this amendment. I have always believed that politics is public service, not a career, and there are many ways to serve. Term limits ensure a constant supply of new ideas and new energy. Term limits are good for both parties. They are good for Congress and, most of all, they are good for the American people. I support them prospectively

and retroactively, and I did so when Democrats were in the majority.

But term limits are not enough. Unless term limits are coupled with tough campaign finance reform, I do not believe true reform will be achieved.

Today a broad bipartisan group that supports term limits is sending a letter to Speaker GINGRICH strongly encouraging him to include campaign finance reform as a high priority for the second 100 days of this session.

I look forward to working with Members from both sides of the aisle on campaign finance reform, regardless of the vote today and tomorrow.

Let us enact true reform, term limits and campaign finance reform.

Mrs. FOWLER. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. GOSS].

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

Mr. GOSS. Mr. Chairman, I thank the gentlewoman from Florida, my colleague, for yielding time to me.

This sudden interest in promoting term limits by the advocates of this amendment is a little misleading and, I have to admit, a bit intriguing.

I think we have got to be clear on one thing, because the time is short and it is time for candor. Many who are supporting the Peterson-Dingell-Frank amendment are the same Members who freely admit, at least to the press they freely admit, that they oppose term limits.

□ 1630

They are the same people who helped ensure that under 40 years of Democrat rule no debate or vote on term limits would take place. They are the same people who have shown little interest in responding to the will of the American people on this issue.

We know almost 80 percent of Americans support term limits. They want us to deal with it. We also know that 22 States have adopted them. In every case, those term limit proposals predominantly written by citizens are not, repeat, not, retroactive.

If, as the proponents of this smoke-screen amendment argue, Americans want retroactive term limits, then why have those 22 States passed citizen referenda that are not retroactive? Why, in the one State that voted on such a proposal, was the proposal of retroactivity soundly defeated?

It is because Americans are smarter than the status quo Democrats seem willing to believe. Americans know a true term limits supporter from one who is simply seeking to score political points on its way to the dust bin, which is what this amendment will do.

Vote against this amendment. Its sole purpose is to provide political cover for those politicians who like the status quo and want term limits to go away.

Of the man who wrote the first Bill of Rights in this country, George Mason the Fourth, a man who did not sign the

Constitution, even though he penned that Bill of Rights for the Commonwealth of Virginia which was the model for our Bill of Rights:

Nothing so strongly impels a man to regard the interest of his constituents as the certainty of returning to the general mass of the people, from whence he was taken.

So said Mr. Mason. I think those are valid words, and I think he was right not to sign the Constitution until he had a commitment to the Bill of Rights, and when he finally did get the Bill of Rights in there, I think he would have been glad to sign it.

The CHAIRMAN. The gentleman from Florida [Mr. PETERSON] has 15 minutes remaining, the gentlewoman from Florida [Mrs. FOWLER] has 10 minutes remaining, and under the rules of the House the gentleman from Florida [Mr. PETERSON], as the proponent, has the right to close.

Mr. PETERSON of Florida. Mr. Chairman, I yield myself 10 seconds to respond to one point.

Mr. Chairman, the Committee on Rules, of which the gentleman from Florida [Mr. GOSS] was a member, allowed the Democratic side one substitute, and therefore we had only one opportunity to present the Democratic side. This is the bill that is before us today with the retroactivity.

Mr. Chairman, I yield 1 minute to the gentleman from Mississippi [Mr. TAYLOR].

Mr. TAYLOR of Mississippi. Mr. Chairman, let me begin by saying how appropriate it is that a former prisoner of war for 7 years in Hanoi Hilton is the sponsor of this amendment. Unlike many Members of this body who claim to be promilitary but sought student deferments, the gentleman from Florida [Mr. PETERSON] is promilitary and enlisted in our country's Armed Forces.

I say this because he also, on the first day of this body, voted to put Congress under the same laws as every other member of the American society, as did I, and as did the majority in this body. We did not say we are special; we said we should live by the same laws as everyone else.

Yet, some people in this room this very day will say they are better than a prospective Congressman because they should be allowed to serve their 20 years, their 18 years, their 50 years, and then and only then should the 12-year limit go on top of that. That is wrong. That is egomaniacal of the worst sort. That is the sort of thing that really makes America mad at Congress.

I want to commend my good friends, the gentleman from Florida [Mr. PETERSON], the gentleman from Michigan [Mr. DINGELL], both former service people serving our country, both of whom realized that Congress ought to live by the same laws as everyone else.

I will say one last thing, Mr. Chairman, I am a cosponsor of an amendment to prohibit the burning of the flag. Until it becomes law, I am not going to burn any flags. For those of

the Members who feel so strongly about term limits and who have served more than 12 years, I encourage them not to run for reelection.

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

Mr. Chairman, I would like to point out that several of us, the gentleman from South Carolina [Mr. INGLIS] and myself, many proponents of term limits, have committed to abide by the term limits either passed by our State or by the ones we have self-imposed, so there are many supporters of term limits who are abiding by them and will do so, no matter what is passed today.

One other point I would like to make: The average time for ratification of a constitutional amendment during this century has been 18 months. In fact, it only took 100 days to ratify the 26th Amendment, so when we talk of taking 7 years to ratify this amendment, people have not looked at their history. It would only take probably, at the most, 18 months to ratify this amendment. We could get it in effect.

Mr. Chairman, I yield 2 minutes to my colleague and one of the leading proponents on term limits, the gentleman from Tennessee [Mr. HILLEARY].

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

Mr. HILLEARY. Mr. Chairman, I rise in opposition to the Peterson amendment. This bill is totally retroactive, as has already been mentioned. We know the voters reject retroactivity. Just as retroactivity in the Tax Code is a bad idea, it is also a very bad idea in the term limits area.

This amendment would preempt the term limits laws passed already in 22 States in this country. The Peterson-Dingell amendment does allow States to impose term limits as long as the restrictions do not exceed the Federal term limit in their amendment.

This is very similar to the Hilleary amendment. However, the term limit imposed is clearly retroactive in this case. All the term limits statutes on the books in all the 22 States, whether it is 6, 8, or 12 years, are prospective in nature. The 12-year retroactive Federal ceiling in Peterson-Dingell preempts the prospectivity provisions in all 22 of those States.

It does not protect the 25 million voters who cast ballots in favor of imposing term limits on Members of Congress from their States. It does not protect the thousands of dedicated individuals, not Republicans, not Democrats, no liberals, not conservatives, but people who just want to do something to change this country for the better. It does not protect their wishes and their hard work in gathering signatures on those petitions in those parking lots all over this country to get those issues put on the ballot.

Mr. Chairman, I urge my colleagues to oppose the Peterson-Dingell amendment.

Mr. PETERSON of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Utah [Mr. ORTON].

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

Mr. ORTON. Mr. Chairman, I rise first of all to answer the question why have 22 States who have passed legislation not made it retroactive. Why? Because we have not acted. They do not want to put themselves in their own State at a disadvantage during the time that we are debating and attempting to deal with term limits at a national level.

It has been suggested that this is a retroactivity amendment. It is not. It simply says that the terms that Members have served apply toward the limit of total terms they can serve.

Mr. Chairman, it has also been suggested that only those people supporting this amendment are the ones who oppose term limits, and that this is a smokescreen and somehow a dastardly attempt to kill term limits. Absolutely untrue. I have supported term limits from before I came to this body. I am a cosponsor with my good friend, the gentleman from Florida [Mr. MCCOLLUM], of his legislation. He is a cosponsor of my legislation. I support applying term limits to everyone.

Let us unmask the real hypocrisy going on in this debate. It is not people who oppose term limits, but say if you are going to apply it, at least be honest and apply it to everyone. It is those people who, first of all, voted to apply all the laws to us in Congress, stood upon a soap box and said "Look what we have done: The first thing we did in this Congress is apply all the laws to us," and then they vote for term limits, but not to us.

That gives a new meaning to hypocrisy, I tell the Members. I could not look my voters in the eye if I stood up and told them I voted to apply all of the laws to Congress; I voted, as you have told me to vote, for term limits. You support term limits, I voted for term limits, for everybody else that comes in the future, but I don't want that term limit to apply to the time that I have spent in Congress. I want to be able to serve another 6 or 12 or 18 years; a new meaning to hypocrisy.

Mr. PETERSON of Florida. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Chairman, I mentioned earlier when we were talking about term limits the fallacy of what has been told to the American people. Some mentioned that it is a total fallacy.

The gentleman from South Carolina said if Democrats would represent Americans, and I would have them know that I represent about 500,000 Americans and have for 22 years, but let me put out the fallacy here. We are talking about 12 years. Even if we ratify it in 2 years, all the States, you are

talking about 14 years, you are talking about 14 years.

Under this amendment, I will be out, the gentleman from Michigan, JOHN DINGELL, will be out, all the leadership on the Democratic side will be out, but that is the way the cookie crumbles. If you are serious, if you are serious about term limits and you want to go to the American people and be truthful to them, and not do slogans and signing contracts and doing 30-second sound bites, you will say to the American people "As soon as the States ratify this, we are out of here, if it takes 2 years, if it takes 4 years, or if it takes 6 years." So put your money where your mouth is. I am talking about a fallacy. Twelve years is a total fallacy and it is a sham on the American people.

Mr. PETERSON of Florida. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. TUCKER].

Mr. TUCKER. Mr. Chairman, I thank the gentleman from Florida for yielding time to me. I thank the gentleman from Florida [Mr. PETERSON] and the gentleman from Michigan [Mr. DINGELL] for bringing this amendment to the floor, because truly this amendment says it is time to put up or shut up.

If you are really for term limits, term limits, this is the ultimate term limit amendment. Trying to have term limits prospectively is saying, "We want term limits, but don't limit my term. It is great for everybody in the future, but please, please, let me be all right." That is not a person who is really for term limits.

What I say, Mr. Chairman, is I challenge my colleagues, not only on the other side of the aisle, but on both sides of the aisle, if you are really for term limits, let us make it real, let us make it retroactive, let us make it apply as soon as the States ratify it.

I heard my colleagues say, "Well, the States could probably ratify this in a year and a half, 18 months." If they do, then fine. But at the time they do ratify it, it should be effective. That means whoever has to bear the burden of that retroactivity then would have to be honest and would have to accept that as a way and as a voice of the American people.

Mr. PETERSON of Florida. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas [Ms. JACKSON-LEE].

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

Ms. JACKSON-LEE. Mr. Chairman, I rise to support the Dingell-Peterson amendment, the only honest term limits amendment and legislation.

The U.S. Constitution clearly sets forth the requirements that are necessary to serve in Congress. Those requirements are age, citizenship, and residence. The American people already have term limits for their Federal elected officials. Every 2 years, the Members of the House must stand for reelection and the American people have the right to select the

Representatives of their choice to serve in this Chamber.

My position on this issue has been very consistent. If we were serious about term limits, the House of Representatives would pass the term limits bill sponsored by my colleagues, PETE PETERSON and JOHN DINGELL. I will vote for their bill because it is the only bill that would actually apply to Members who are voting on the bill because it would apply retroactively. All of the other bills would apply prospectively.

Let us not take away any rights from American citizens. Let us respect the abilities of our constituents to act in their best interests. Let us support free and open elections. This right is a key component of our democratic system of Government.

Mr. PETERSON of Florida. Mr. Chairman, I yield 2 minutes to my friend, the gentleman from New York [Mr. ENGEL].

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

Mr. Chairman, I am not for term limits, but I am for honesty. If we are going to have term limits, let us have true term limits. I am not doing this for cover, as was suggested by some of my friends on the other side of the aisle. I am doing this for honesty.

If we are going to impose things upon Congress that we say are for the rest of the American people, then let us impose this as well for current Members. I am for truth in term limits packaging. That is why I am proud to be an original cosponsor of this substitute. Let us stop the nonsense and arrogance. 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.

The Republican term limits resolutions are nothing short of incumbent protection, because they only hold future Members to its standards. Let us not hold a future generation to its standards, let us hold our generation to its standards, and I am willing to abide by that.

The Peterson-Dingell substitute is the only term limits bill that counts time already served by Members of Congress. Many of our colleagues say they support term limits to prevent Members from becoming arrogant and entrenched politicians. However, it is obvious these same colleagues believe they are immune from this temptation by exempting themselves from the Republican term limits legislation.

Voting for any of the other 3 term limits legislation proposals do not count previous service, and that to me, Mr. Chairman, is the height of arrogance. Voting for the Republican term limits bill will only delay the effect of our Government that this legislation will oppose.

If the bureaucrats are going to start running this country, let them start now. Why wait 12 years down the line, or 19 years down the line? If you have already served here for 20 years, how can you say you are for term limits

when you want to serve here another 19? It is absolutely ridiculous.

Mr. Chairman, we have a contract with the voters of our districts that can be renewed or ended every 2 years. Clearly the backers of the contract for America only support their contract if they are not held to its standards. Support the Peterson-Dingell substitute.

Mr. PETERSON of Florida. Mr. Chairman, I yield 2 minutes to my friend, the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, this is not the first time our Republican friends have held out the view that virtue is a good idea, but you should not rush into it all at once. With the balanced budget amendment it was 2002. This one will take effect in 2009. Unfunded mandates, it is again for the future, while at least for Massachusetts, they are making worse the unfunded mandate under which we currently struggle.

People have said "You can't be for making this apply immediately unless you are for the concept." Many Members in this House who do not like OSHA and do not like the Fair Labor Standards Act and NLRB voted to apply it to Congress. Many of us feel Congress has suffered from the perception of seeking special treatment for itself. We are saying that if you are going to do something, do not single out the institution or the current Members of the institution from being covered by it. That is all this says.

□ 1645

That is all this says. But I am especially intrigued by the argument that this, if it passes, would kill the amendment.

Understand what that means, because a lot of Democrats are for this substitute. Therefore, there must be Republicans who are prepared to vote for this and impose it on others but whom if they become immediately susceptible to it will vote against it. Because I submit there is no other logical basis on which this could damage the amendment. After all, it is not going to turn away State ratifications. The State legislatures will not be affected by this. This deals only with Congress.

So to the extent that you argue that this hurts the process, it must mean that there are, as we have long suspected, some very unenthusiastic supporters of term limits over there, and they will vote for it if it will lose and they will vote for it if it will have no effect, but God forbid that it should actually go into effect and affect them.

So, therefore, we have an admission. They tell us if this amendment becomes the pending one, it will not do well. Why? Because we know there are Democrats who will vote for only this version.

Therefore, what the Republicans are telling us is that if this applies immediately, not retroactively, this does not say that Tip O'Neill only served 12 years and he has got to give back 30, this says it applies immediately, it

means that there are Republicans there who are for it in theory but do not want to have to live with it.

Mrs. FOWLER. Mr. Chairman, I yield 1 minute 15 seconds to the gentleman from South Carolina [Mr. GRAHAM].

Mr. GRAHAM. I thank the gentleman for yielding me the time.

Mr. Chairman, I would like to respond to my friend the gentleman from Massachusetts. I am one of these Republicans who really believe this stuff. I am going to vote for your amendment even though you do not believe it. When I get through voting for your amendment, I am going to vote for the other three that come after it.

You have had 40 years as a party to do something about career politics. To say that we do not care and the Republican Party is a sham is an absolute insult to the voters in 1994.

I am going to vote for your amendment. Will you vote for the three that come after yours?

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

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

Mr. FRANK of Massachusetts. First, 40 years ago I was recovering from my bar mitzvah so I cannot be held accountable for what happened then. But I will say this. The gentleman is apparently joining us. I heard people on his side say anybody who votes for this amendment is a saboteur and is trying to undermine it. I am glad the gentleman is going to vote with us. I just want to defend him from his fellow South Carolinian who was suggesting that in voting for this he is somehow trying to undermine it. I think he has effectively repudiated that unfair accusation. I welcome his vindication.

Mr. GRAHAM. I think the problem that my colleagues have is they know that you do not mean it and it bothers them for you to play a game. I think it bothers the American public. I am willing to play the game with you. Maybe I am not quite up to their level.

Mr. PETERSON of Florida. Mr. Chairman, I yield 30 seconds to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. I have never said that I was for term limits. I do believe one should listen to the people and that people in my district in a referendum voted against term limits, and I think they were right. I understand why they did that.

But I have said this. As many of you who oppose OSHA voted to cover Congress under OSHA, there are two principles here. Do you have the term limits and if you have them, do you give a special exemption to sitting Members who will be the only ones hereafter who will not be subject to a strict 12-year limit?

So, no, I am not for term limits, but I am also not for a double standard that protects sitting Members.

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

Mr. PETERSON of Florida. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. It is not important what I think about term limits. It is important what is right and what is wrong. The substance is important.

I never heard any of my colleagues on that side complaining about the fact that this matter was to be pushed into the future some 19 years. What we are talking about is truth in term limits.

The Speaker yesterday said the United States no longer needs or desires a class of permanent career politicians. Neither he nor anyone on that side of the aisle has ever told us that what was really here before us in the amendment they laid before us today is a 19-year delay in the effective date.

Mr. PETERSON of Florida. Mr. Chairman, I yield 1½ minutes to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Chairman, it is interesting because last week my friend the gentleman from New Jersey [Mr. FRANKS], a Republican, sent a letter to all the Members of Congress asking them to come down and join him in a press conference and submit their resignation.

I have heard 80 percent of the Republicans support term limits. I thought 80 percent of the Republicans would be at this press conference to submit their resignation in whatever appropriate year it was, whether it was 8 years, 10 years, or 12 years.

There were only 8 Members who showed up. Eighty percent of the Republicans are for term limits but only 8 Members showed up to submit their resignation at the appropriate time.

Mr. Chairman, I insert into the RECORD an op-ed piece by Speaker GINGRICH that appeared in yesterday's Washington Post. In the piece, the Speaker called on Democrats to join him in passing term limits. The op-ed piece accurately points out that at least 60 Democrats are needed to vote for term limits passage.

Well, I say to the Speaker, I estimate there could be anywhere from 70 to 100 Democrats who will support this amendment. What a golden opportunity to pass term limits today. Seventy to 100 Members.

Let us get all of the Republicans behind this amendment and pass it right here because this is the amendment Democrats are willing to support. There is nothing wrong with putting your votes where your principles are. If we have to institute term limits retroactively, then it is worth it to get term limits passed today.

I have heard at least 10 different Members on the other side of the aisle declare that Republicans cannot pass term limits on their own, they need the help of the Democrats. This is your opportunity. You have the votes, 70 to 100.

Mr. Chairman, I include the following for the RECORD:

[From the Washington Post, Mar. 28, 1995]

TURNOVER TIME
(By Newt Gingrich)

Americans should turn their TV sets to C-SPAN today to witness an important debate. The citizens of the nation can determine for themselves whether their elected representatives trust them to take an increased role in leading this country. The debate is about term limits.

Term limits is, at heart, a statement on how our country has been run over a certain period of time and how it should be run in the future. Some might say that the demand for a constitutional amendment for congressional term limits is, like a balanced budget amendment, merely a temporary, impulsive mood on the part of a public frustrated by wasteful, free-spending actions of an arrogant Congress. This would be an incorrect reading of the current sentiment.

House Republicans see it differently, and that is why we are as committed to bringing term limits to the House floor for a meaningful debate and vote as we were on Sept. 27, when we signed the Contract With America.

House Republicans see the overwhelming public support (nearly 80 percent in some polls) as more than a brief feeling of disgust with government on the part of the American people. Rather we understand what our citizens know in their hearts: This is an America, standing on the doorstep of the 21st century, which no longer needs or desires a class of permanent career politicians who are there to solve each and every problem.

Admittedly, this view is a stark contrast to the history of the 20th century. The "American century" saw a young country grow to adulthood and accept leadership responsibilities. The 20th century saw two world wars and a Cold War that demanded an America with a strong federal government standing at the ready to keep the world from falling into complete totalitarian rule. Furthermore, a legitimate argument could be made that between the Depression and the civil rights movement, a strong federal government was appropriate at the domestic level as well.

Regardless, the American people realize that that time has passed. Today, a professional political class produces inertia. This, understand, is a time when technological and cultural change put a premium on swift response and adaptability to changing circumstance. The current state of the federal government is totally unprepared for this new reality. A 20th century America, almost in a perpetual "state of war," may well have benefited from having seasoned leaders whose experience was essential for the next campaign.

But the 21st century America will benefit more from having regular turnover in its elected leaders; the 21st century America will gain insight from the influx of new ideas; the 21st century America will thrive with continual waves of new leaders with fresh alternatives. Upon doing their period of service, these citizen-statesmen will return to their private-sector lives and remain productive resources for their own communities.

House Republicans understand this vision of the new America and want to bring it to reality. That is why this week, for the first time ever, the House will vote on a constitutional amendment to limit the terms of members of Congress. It should not come as a surprise that this historic vote is being brought by Republicans. By contrast, the last Democratic speaker joined in a suit against his own state's constituents to challenge a term limits ballot initiative that had passed overwhelmingly.

Republicans cannot by themselves executive the will of the American people. A constitutional amendment requires two-thirds

support, or 290 House votes. Thus, we will need significant Democratic support. The Republican commitment to seeing term limits pass is shown in the fact that two out of three House Republicans have co-signed at least one term limits bill. Even if every Republican (230)—including those who currently might oppose it on philosophical grounds—voted for term limits, we would still be 60 votes shy of passage in the House. Yet, fewer than two dozen members of the Democratic Caucus have signed on to any of the term limit proposals so far suggested—including those sponsored by Democrats. Our Democratic president has continually opposed term limits even though his own home state of Arkansas overwhelmingly passed a term limits initiative in 1992.

The opposition of the president and the majority of congressional Democrats is unfortunate. We hope they will consider the time and reassess their position (as, in fact, several Republicans have). As a new millennium approaches, people pause to reflect upon their communal rights and responsibilities. At the end of the 19th century, the movement began for the direct election of United States senators. It took 20 years, but eventually the people's will was fulfilled in the 17th Amendment. A constitutional limitation on congressional terms is no less significant.

This vote says to the American people that this is their country. It says to our citizens that they are entrusted with greater control. The people must now work harder to run their country; it's no longer "autopilot" votes for entrenched incumbents. Term limits will stimulate voter interest and, therefore, voter participation.

House Republicans are committed. If a term limits amendment does not pass this year, subsequent Republican-lead Congresses will introduce a bill until one eventually passes. We invite our friends on the Democratic aisle to join us in ending the political careerism of the past to cast the first important vote for the new realities of the 21st century. Vote for term limits.

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

Mrs. FOWLER. Mr. Chairman, I yield 5½ minutes to my good friend and colleague, the gentleman from Florida [Mr. MCCOLLUM], one of the original leaders in the term limits movement.

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

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

Mr. Chairman, I do not believe the term limits cause is a throw-the-bums-out or a clean-out-the-barn movement that some folks I have heard say this afternoon characterize it as.

The term limits movement that I have been associated with the whole time I have been in Congress has been a movement to provide fundamental change in the structure of Government designed to create a different attitude on the part of those who serve in Congress. That is the reason why I support term limits. That is why I think it is important. That is why I think that 12 years and a permanent change is there. It is something we need to be careful about, we need to put it in the Constitution with due deliberation, and we need to have it take effect.

Because what has happened is that since the days of our Founding Fa-

thers, we have become a full-time, year-round Congress. Instead of having Members like they did in the old days come here and only serve 2 months out of the year, they serve the whole year, they have to give up jobs, we are not allowed to have professions any longer, so on and so forth, no outside earning for most Members. Consequently, the attitude has been created of being career-oriented. That is, naturally there is a tendency on the part of many to want to stay here and to get reelected because they do not have a job to go back to back home.

We need to break that cycle because it leads to distortions in the voting pattern, it leads to the results where Members will tend to try to protect every interest group in order to get reelected. That means we do not get balanced budgets and we get other bad policy decisions that the Founding Fathers could never envision.

I take term limits and term limits amendments very, very seriously. I take it seriously as I know some of my colleagues who support this amendment do. Some who believe in retroactivity are very genuine term limits supporters. I have heard them this afternoon, I have known them before, and I believe that they are. There are others who support this amendment, though, who are indeed opposed to term limits as several of them have admitted on the floor this afternoon. They view this as simply an opportunity to get up and poke at those of us who have long supported it.

They should know full well as has been stated out here many times before that 22 States that have adopted term limit initiatives have not included retroactivity. That Americans generally think there is a fundamental unfairness about anything that is retroactive, whether it is in tax laws, or term limits or whatever.

They also should know and probably do that in the one State where retroactivity was proposed, in the State of Washington, it was voted down by a fairly sizable margin.

I do not think retroactivity is the question here. The real question is going to be, though many of us like this Member oppose this particular version for that and another reason I will get to in a moment, the real question is going to be, will these Members march out after this vote if they do not succeed and vote for final passage, not necessarily for another particular version, but for whatever stands there at the end of the day?

I am willing to say I will do that. I am not going to vote for every amendment out here today, but whatever is standing at the end of the day, though I have preference, I am going to vote for it.

There is another reason that I am not going to vote for this particular amendment that has not been discussed today and it does not apply to

all of my colleagues over here. We all have different views.

The underlying proposal here beyond the question of retroactivity is not the original McCollum 12-year amendment that I have offered that is the base bill. It is the Hilleary proposal that would engraft into the Constitution a permanent opportunity for the States under a 12-year cap to set limits of length of time less than 12 years for House Members.

I do not think that that is a smart thing to do. I do not agree with that. It would create in my judgment a permanent hodgepodge of 6, 8, and 12-year limits around the country, and there is nothing we are going to be able to do about it after that. Whereas the underlying bill remains silent on that issue and lets the decision of the Supreme Court, whatever it is in the Arkansas case, be the deciding factor. State initiatives would be protected if indeed the Court rules that currently under the Constitution they have a right to do this, but on the other hand if the court shortly rules that the procedures of the State is unconstitutional, the underlying amendment, the McCollum amendment would apply for uniformity throughout the Nation, which I think is a far better course.

I do not agree with some also who think that 6 years are better than 12. I think we ought to do the same balance with the Senate and the House.

I am opposed to this amendment for a number of reasons, not just to retroactivity. I would like to also point out the idea that several Members have suggested that we all ought to voluntarily walk out of here who believe in a certain number of years at the end of that time. That is fine. If some Members want to do that, great. But that does not promote the cause of term limits and that does not necessarily serve the constituency well.

Until we have a uniformity throughout this Nation and everybody is under a term limit and everybody understands what that is, then it does not really make logical sense to leave right at the time when you are going to get a chance to be a committee chairman or a senior member of the minority party on a committee and to gain the most influence around this place.

I have always favored 12-year limits, I believe they should be engrafted into the Constitution, I think they should be permanent in nature. I do not believe in retroactivity, but I definitely believe they should have a starting point, an ending point and let's go out of here together.

I have always said that when KENNEDY and GEPHARDT and BONIOR and DINGELL are ready to walk out together voluntarily, that will be a great day, I will walk out with them if that would really serve this cause, but I know that it won't. And just like some people listening to me say this, I know that they are thinking, "Aha, what's he saying?"

The answer is, though, retroactivity is nonsense. Retroactivity is not a means that is justifying a "no" vote at the end of the day. It is something that a lot of us simply do not think will work, it will not gain the kind of votes in the end that we would like to see it have, and it is nonsense to support this. Twenty-two States have not done it.

It really is a killer amendment, I think, in the true sense of that word even though I understand some people genuinely support it. I strongly urge a "no" vote on this proposal. It does not get at what we need to get at.

Let's at the end of the day, though, all of us who support term limits, get together and vote for whatever comes out.

Mrs. FOWLER. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. BONO].

Mr. BONO. Mr. Chairman, I have been watching the dialog down here. I want to make a comment. Put all the term limits aside and when you refer to the public, I think the big issue here is that you are gaming, you are running a game, and that is exactly what the public hates. You are just shoving it right back in their face. You don't care about term limits.

I just want to say, stop gaming the public. Stop playing games at the public expense. You are saying I don't like term limits, yet I like retroactive. That is absolutely a game. You are going to damage yourself and you will with this vote.

Mrs. FOWLER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in closing I just would like to urge my colleagues to vote against this amendment. Term limits was intended as a gradual and an orderly transfer of power from professional politicians to citizen legislators with firsthand perspective of how Federal laws affect ordinary people.

This amendment would cause a sudden and chaotic shake-up of Government. I urge Members to vote "no."

□ 1700

Mr. PETERSON of Florida. Mr. Chairman, if I may start by replying to some of the last comments. This is not a game, sir. I have been in Congress a little longer than the gentleman has, and my record is very clear. And to have someone stand and say we are gaming something at this time and to impugn my integrity, I take that personally.

For the gentleman from Florida [Mr. MCCOLLUM], please, just last week everyone on the gentleman's sided voted time and time again to say take it to the States, they do it better, they know better than you. Now the gentleman has stood before this crowd today and said essentially he will not vote for this amendment because it gives the States the right to determine term limits. And I would only suggest that is a reversal.

Finally, if there is any argument today, the argument is that the Repub-

licans say they are for term limits, the Democrats say we are for honesty. We are more honesty, because today is the day when we stand before Members and say we will vote for term limits and we will vote for them for ourselves.

Before us we see two questions that were done for two national polls. There have been four. But it says term limits for Members of Congress are established. Should the years already served by current Members count toward the time? Fifty-four percent said they should apply, 40 percent said no, and 6 percent were not sure.

In another poll, a similar question, 71 percent said yes, term limits should apply to sitting Members.

Clearly retroactivity is the real defining moment for term limits.

This provision clearly separates the sincere term limits supporters from the pretenders. Members who have publicly shouted the praise of term limits for years freeze in their tracks when confronted with the realization that term limits means them too.

I would have Members focus back to the first order of business for the 104th Congress. We just said it was a wonderful thing, we are going to pass laws that apply to Congress too, except for term limits; no, no, that is a toughie, we do not want to do that.

Anything short of immediate application of this constitutional amendment will be an affront to the people of the United States, because I can tell you the people of the United States believe term limits means now, not 19 years from now.

Opponents cry over and over that this is a killer amendment. This is simply wrong. These doomsayers just do not want it to apply to them. Immediate application of this constitutional amendment to all sitting Members of Congress is exactly, as I say, what the American people want us to do.

These two polls and two others that I do not have time to cite are clearly indicative of what America wants us to do here today.

Another thing that people say, that this detracts from, the retroactivity aspect, from your ability to enact because the States said it was a killer amendment. That discounts the fact that a ratification process is required at a Federal level and not at State level.

Ladies and gentlemen, this is an easy vote for those who really believe in term limits. It is a cop-out for those who vote "no" today.

Support for term limits: First let me make it absolutely clear, PETE PETERSON strongly supports term limits in principle. I made my position clear during my first congressional campaign in 1989 and have continued to support that original position. Further, I introduced my own term limits bill in the House on January 11 this year, well before opponents of term limits jumped on the retroactivity bandwagon. I have not supported my colleague from Florida, Mr. MCCOLLUM's amendment because it

lacked immediacy. Nevertheless, I will vote for every proposal offered for term limits during this debate except for Mr. INGLIS' plan limiting terms to 6 years. That limit is unreasonable and counterproductive.

Term limits moves us closer to the original image of the citizen legislator envisioned by our Founding Fathers and as specified in the Republican Contract on America.

This act will help break the gridlock associated with national legislation by ensuring a greater turnover of senior Members, who are often able to use the perks of their seniority to tie up publicly popular legislation in the interest of personal gain.

Statistics on length of service: The average length of terms for Members of the 104th Congress is 7.5 years. However, most people do not realize that high turnover rates are largely confined to junior Members. As an example, during the 103d Congress average length of service for senior Members—those serving more than 6 terms—was 21 years.

Let me relate to you some very somber statistics:

During the 19th century, less than 3 percent of the Members elected to serve in the House served over 12 years. In the Senate, only 11 percent served more than 12 years. In contrast, during the 20th century the percentage of Members serving for more than 12 years has skyrocketed to 27 percent in the House and 32 percent in the Senate. Studying the data during the post-World War II era is even more alarming. From 1947 to the present, 37 percent of House Members and 42 percent of Senate Members have served longer than 12 years. A problem clearly exists and a correction is clearly in order.

We are not setting a precedent when addressing term limits. The 22d amendment to the Constitution, ratified in 1951, limits the terms of office of the President of the United States to two terms.

Why did a Democrat craft this substitute? Simply because, as I stated before, term limits will ultimately lead to better representation by giving the people of the United States greater confidence in those who serve them in Congress. I believe the serious lack of confidence the people have in their elected officials today could one day place the Republic in jeopardy. We must renew the people's faith in representative government. It is that simple.

Originally, term limits was not a partisan issue. Only after it became part of the Contract on America did it become a Republican litmus test. Many Democrats, including me, have been way out front on this issue for a long time. But now that it is clearly partisan it is up to my Republican friends to deliver on their promise. Many Democrats will vote for this substitute—each for their own reasons—the vast majority because they believe like me that it is in the best interests of the Republic. Plus they understand that this substitute represents the honest alternative; it states exactly what the people on the street have said they want in limits.

This is the people's term-limit proposal: 12-year lifetime limit for House and Senate; allows State preemption up to 12 years, and immediacy-retroactivity; which applies immediately upon ratification.

The 12-year limit is identical to that contained in H.R. 73. There should be no argument against this provision.

I strongly support this limit on congressional service because 12 years is the logical time to end service in the House and the Senate. At 6 years a Member is truly at his/her peak, leaving 6 additional experienced years to guide legislation and to bring thoughtful debate to the floor.

There should be no fear of creating a void of experience in the Congress with a 12-year limit. As I alluded to earlier, the vast majority of Members of the House serve here for less than 8 years. In fact, over half of the membership of the House has turned over since 1990 alone. Just 2 years ago 114 new Members arrived in Congress and no one spoke of the void created by those new Members number replaced.

Further, not unlike a military commander taking over a new major command assignment or a new CEO taking over a major corporation, one moves into Congress and immediately must assume the vast responsibilities associated with that service. These are tested individuals who are expected to be prepared to assume whatever level of responsibility necessary to carry out their representatives duties. The only reason that younger members do not now have their capabilities truly tested in their first years of service is because the seniority system has them locked into a junior role.

A by-product of imposing a 12-year limit to congressional service is the benefit ordinary communities would gain from the experience of former Members of Congress who have returned to the local area. Importantly, these individuals would help to provide a more realistic grasp of what can and cannot be constructively accomplished at the Federal level of Government. This is a very valuable factor that exceeds current estimation.

The State preemption clause is designed to commemorate the work of the 22 States that have already passed term limits for Members of Congress. Under my amendment a State may limit terms of its congressional delegation to any year limit so long as it does not exceed 12 years.

State preemption was not part of my original term limit proposal; however, given the fact that 22 States have already determined length of service for its Member of Congress it is only common sense to honor those expressed State wishes. Otherwise, without the State preemption, those of us who represent States with less than 12-year limits would actually be voting to extend out allowable length of service.

Further, just last week virtually every one of my Republican colleagues voted repeatedly to move more responsibility for Federal programs to the States. The base argument is that the States can "do it better". Clearly, following that logic, my colleagues would surely agree that States are best qualified to determine length of service in the Congress for their Members.

The retroactivity clause is unlike that contained in any other amendment made in order under this rule. Simply stated, once term limits are ratified by 38 States and become the law of the land, previous congressional service would be counted toward the term limit. Therefore, current Members of Congress who have served more than 12 years would be prohibited from seeking reelection.

This provision clearly separates the sincere term limit supporters from the pretenders.

Members who have publicly shouted the praises of term limits for years freeze in their tracks when confronted with the realization that term limits means term limits for them too.

I would have you focus back to the first order of business of the 104th Congress. With near unanimous support we quickly passed legislation that said the law Congress passes must also be applicable to Congress itself. It doesn't require a leap of faith to understand that this is one of those laws we pass that should indeed apply to every sitting Member. Anything short of immediate application of this constitutional amendment will be an affront to the people of United States.

Failure to make term limits immediate in their application will have the effect of allowing members to serve another 17 to 19 years. This takes into account the 5 to 7 years required for ratification by the States plus the additional 12 years of service authorization by the amendment. For a member like the Speaker of the House, that means that with passage of a bill without retroactivity, he can serve a total of 36 years, 17 already served plus 7 years of ratification, plus 12 years in the amendment.

Opponents will cry over and over that this is a killer amendment. They are simply wrong. These doomsdayers just don't want term limits to apply to them. Immediate application of this constitutional amendment to all sitting Members of Congress is exactly what the American people understand term limits to be all about. Many on the other side of the aisle cite the overwhelming public support of term limits as the reason we are here debating this today. Well, in the past 5 months four nationwide polls have been taken to test the American people's views on term limits and specifically on the issue of retroactivity. I cite these polls for your information: November 28, 1994—CBS News—51 percent for counting previous service; 13 percent opposing retroactivity; 33 percent opposed to term limits altogether; December 5, 1994—CNN/USA Today/Gallop—71 percent of those favoring term limits support counting previous service; 23 percent oppose retroactivity; December 13, 1994—Wall Street Journal—54 percent of Americans believe years served prior to the enactment of term limits should be counted toward the limit, 40 percent opposed, and January 13, 1995—Newsweek—53 percent of Americans support retroactive term limits, 37 percent oppose retroactivity.

In all, 157 current Members of Congress would be affected if the Peterson amendment was ratified today. For those who say that is a dangerous loss of experienced Congressmen at one time let me remind you that just last year 114 new Members entered Congress in the 103d Congress and nothing dangerous occurred. In fact, the Republic was likely strengthened.

The detractors say that retroactivity has not been enacted in the States because it is a killer amendment. That discounts the difference between a Federal constitutional amendment and State constitutional amendment. In the case of a State an amendment is often effective virtually immediately after the vote. For Federal ratification, on average it takes 5 to 7 years for 38 States to complete work on the amendment. Even the highly popular term

limit for presidents took 4 years to ratify. In fact, the most recent one took over 200 years. Although I know that we now impose a 7-year limit under which a State must complete action—it is clear it will take some time. That time is wholly adequate for any sitting Member to adjust to the reality of the law.

Further, the Washington State experience is not as clear as one would suppose. First, their 1991 amendment was for 6 rather than 12 year limits, which would have made the entire Washington State delegation ineligible for reelection. In addition, there was a major debate brewing in the State about California and the Columbia River Basin dams water issue. Reapportionment was about to give California 7 new congressional seats, and many in Washington State feared that California was gaining too much political clout at the same time Washington would be losing most of influence at a critical period of decision over the use of the Columbia Basin water.

Again, immediacy or retroactivity, whatever you call it is the very heart of any term-limit amendment. If you support term limits on principle or just flat out do not support term limits in any form—this is an easy vote. On the other hand if you are supporting term limits as a political vehicle for your own reelection, this is an extremely tough vote because this is truly a term limit amendment.

If you promised your constituents term limits as part of your political campaign—this is their idea of true term limits.

Yes, we will indeed lose some very effective professional members if this amendment passes, and perhaps its true that we will have several less effective members in the same process. However, this is a huge country and I remain confident that the shoes of those leaving Congress would be replaced with dedicated, competent people. Plus the country will not lose the services of this quality people. They will carry out perhaps even more important tasks as a private citizen, unencumbered by congressional rule or constraints.

There was a time in my life that I thought I was indispensable to the U.S. Air Force. I was a highly trained fighter pilot, instructor pilot, with considerable combat experience. Guess what? Due to circumstances beyond my control I was removed from my regular duties and did not return for nearly 7 years. I would like to say that I was so sorely missed that the mission suffered, well as much as I would like to think I was that important, the fact is, a pilot of equal or better qualifications filled the void created by my departure immediately without the air force missing a single step. My colleagues, rest assured there are many highly qualified people in your district right now fully capable of filling your shoes.

Won't staff take over if we impose term limits. The short answer is no,

not anymore than they do presently. We just had a major change in the 104th Congress yet by and large most committees and congressional offices are filled with competent, professional staff who learned their trade right here. Staff acquire power and clout through their member association. With a higher turnover in Members staff will likely be unable to continue clout from one Congress to the next. I do not see staff being either responsible for the changes that are currently occurring in this Congress nor do I see them preventing change.

Finally, if one truly believes in the validity of term limits rather than taking a political ride on the issue for reelection—that person must honor their position and vote for the Peterson-Dingell amendment. I know those on the other side of the aisle want to blame democrats if term limits do not pass here today. But the facts are clear: our amendment goes further than any other proposal, and if we get the support of those of you on the other side, this amendment will pass here today. The American people support this effort; there can be no excuses. This amendment is exactly what the American people think term limits is all about. Listen to the people, vote yes.

The CHAIRMAN. All the time has expired.

The question is on the amendment in the nature of a substitute offered by the gentleman from Florida [Mr. PETERSON].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. PETERSON of Florida. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 135, noes 297, not voting 2, as follows:

[Roll No. 274]

AYES—135

Baldacci	Eshoo	Kanjorski
Barrett (WI)	Everett	Kim
Bartlett	Farr	Klug
Barton	Fattah	LaFalce
Bentsen	Fields (TX)	Lantos
Billbray	Foley	Largent
Brewster	Forbes	LaTourette
Browder	Fox	Laughlin
Brown (CA)	Frank (MA)	Lincoln
Brown (OH)	Funderburk	Livingston
Bryant (TN)	Furse	LoBiondo
Bunn	Gejdenson	Lofgren
Burr	Gonzalez	Luther
Chabot	Graham	Manzullo
Christensen	Green	Martinez
Clay	Gutierrez	Matsui
Clyburn	Hall (OH)	McCarthy
Coble	Hall (TX)	McCrery
Coburn	Harman	McHugh
Collins (MI)	Hayes	McIntosh
Condit	Hefner	McKinney
Cramer	Hilliard	McNulty
Creameans	Hinchev	Meehan
Danner	Hoekstra	Minge
Davis	Hoke	Moran
Deal	Holden	Neumann
Deutsch	Hutchinson	Ney
Dickey	Jackson-Lee	Ortiz
Dingell	Jacobs	Orton
Doggett	Jefferson	Parker
Dornan	Johnson (SD)	Payne (NJ)
Engel	Johnson, E.B.	Peterson (FL)
Ensign	Jones	Peterson (MN)

Pomeroy	Solomon	Towns
Poshard	Souder	Traficant
Pryce	Stark	Tucker
Salmon	Studds	Ward
Sanford	Talent	Waters
Scarborough	Tauzin	Weldon (FL)
Schiff	Taylor (MS)	Whitfield
Schroeder	Tejeda	Wilson
Schumer	Thompson	Wise
Scott	Thornberry	Wyden
Shadegg	Thurman	Young (AK)
Smith (MI)	Tiahrt	Zimmer

NOES—297

Abercrombie	Fawell	McDade
Ackerman	Fazio	McDermott
Allard	Fields (LA)	McHale
Andrews	Filner	McInnis
Archer	Flake	McKeon
Armey	Flanagan	Meek
Bachus	Foglietta	Menendez
Baesler	Ford	Metcalfe
Baker (CA)	Fowler	Meyers
Baker (LA)	Franks (CT)	Mfume
Ballenger	Franks (NJ)	Mica
Barcia	Frelinghuysen	Miller (CA)
Barr	Frisa	Miller (FL)
Barrett (NE)	Frost	Mineta
Bass	Gallegly	Mink
Bateman	Ganske	Moakley
Becerra	Gekas	Molinari
Beilenson	Geren	Mollohan
Bereuter	Gibbons	Montgomery
Berman	Gilchrest	Moorhead
Bevill	Gillmor	Morella
Bilirakis	Gilman	Murtha
Bishop	Goodlatte	Myers
Bliley	Goodling	Myrick
Blute	Gordon	Nadler
Boehlert	Goss	Neal
Boehner	Greenwood	Nethercutt
Bonilla	Gunderson	Norwood
Bonior	Gutknecht	Nussle
Bono	Hamilton	Oberstar
Borski	Hancock	Obey
Boucher	Hansen	Olver
Brown (FL)	Hastert	Owens
Brownback	Hastings (FL)	Oxley
Bryant (TX)	Hastings (WA)	Packard
Bunning	Hayworth	Pallone
Burton	Hefley	Pastor
Buyer	Heineman	Paxon
Callahan	Heger	Payne (VA)
Calvert	Hilleary	Pelosi
Camp	Hobson	Petri
Canady	Horn	Pickett
Cardin	Hostettler	Pombo
Castle	Houghton	Porter
Chambliss	Hoyer	Portman
Chapman	Hunter	Quillen
Chenoweth	Hyde	Quinn
Chrysler	Inglis	Radanovich
Clayton	Istook	Rahall
Clement	Johnson (CT)	Ramstad
Clinger	Johnson, Sam	Rangel
Coleman	Johnston	Reed
Collins (GA)	Collins (GA)	Regula
Collins (IL)	Kasich	Reynolds
Combest	Kelly	Richardson
Conyers	Kennedy (MA)	Riggs
Cooley	Kennedy (RI)	Rivers
Costello	Kennelly	Roberts
Cox	Kildee	Roemer
Coyne	King	Rogers
Crane	Kingston	Rohrabacher
Crapo	Klecza	Ros-Lehtinen
Cubin	Klink	Rose
Cunningham	Knollenberg	Roth
DeFazio	Kolbe	Roukema
DeLauro	LaHood	Roybal-Allard
DeLay	Latham	Royce
Dellums	Lazio	Rush
Diaz-Balart	Leach	Sabo
Dicks	Levin	Sanders
Dixon	Lewis (CA)	Sawyer
Dooley	Lewis (GA)	Saxton
Doolittle	Lewis (KY)	Schaefer
Doyle	Lightfoot	Seastrand
Dreier	Linder	Sensenbrenner
Duncan	Lipinski	Serrano
Dunn	Longley	Shaw
Durbin	Lowe	Shays
Edwards	Lucas	Shuster
Ehlers	Maloney	Sisisky
Ehrlich	Manton	Skaggs
Emerson	Markey	Skeen
English	Martini	Skelton
Evans	Mascara	Slaughter
Ewing	McCollum	Smith (NJ)

Smith (TX)	Thornton	Watt (NC)
Smith (WA)	Torkildsen	Watts (OK)
Spence	Torres	Waxman
Spratt	Torricelli	Weldon (PA)
Stearns	Upton	Weller
Stenholm	Velazquez	White
Stockman	Vento	Wicker
Stokes	Visclosky	Williams
Stump	Volkmer	Wolf
Stupak	Vucanovich	Woolsey
Tanner	Waldholtz	Wynn
Tate	Walker	Yates
Taylor (NC)	Walsh	Young (FL)
Thomas	Wamp	Zeliff

NOT VOTING—2

de la Garza Gephardt

□ 1721

Mr. BARCIA, Mrs. COLLINS of Illinois, Mrs. MEEK of Florida, Mr. RUSH, and Mr. OWENS changed their vote from "aye" to "no."

Mr. NEY and Mr. BILBRAY 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.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. LINDER) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

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

□ 1724

TERM LIMITS CONSTITUTIONAL AMENDMENT

The Committee resumed its sitting.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 104-82.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. INGLIS OF SOUTH CAROLINA

Mr. INGLIS of South Carolina. Mr. Chairman, I offer an amendment in the nature of a substitute that is made in order under the rule.

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. INGLIS of South Carolina: 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 a part of the Constitution when 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:

"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 three 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 two times.

"SECTION 3. 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. Pursuant to the rule, the gentleman from South Carolina [Mr. INGLIS] will be recognized for 30 minutes, and a Member opposed, the gentleman from Michigan [Mr. CONYERS], will be recognized for 30 minutes.

The Chair recognizes the gentleman from South Carolina [Mr. INGLIS].

Mr. INGLIS of South Carolina. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, we now come to the continuation of this historic debate on term limits. It is a very exciting day in America that we now have the opportunity to move on to real term limits and the opportunity to vote for term limits for the first time in the history of this country.

Before we vote in this House on a real term limits proposal, the three that are about to come before us, let me make the point of what has happened out there in America in the States.

Twenty-two States, now, in the United States have enacted term limits. Of those States, as you can see here colored on this chart, 15 have adopted 6-year term limits. Four have adopted 8-year term limits. And three have adopted 12-year term limits.

Any of those is acceptable in my mind. Twelve years would be good if that is the one we end up with at the end of the day. Six years might be a little bit better, in my opinion, but the important thing is we pass term limits.

It is important to note though if we are looking at what States have done that they have, a majority, adopted the 6-year approach. It is also something to point out that when asked, the American people apparently preferred the 6-year version. In fact, if you ask the American people which one they prefer, 82 percent prefer three terms, and six terms are preferred by 14 percent of the American people. This, I think, is consistent with most polls on the subject and accurately reflects the view of most people that 6 years is about right. Others are a little bit longer.

But now that we have gotten that out of the way and I have advocated at least on the 6-year bill, let me make a very important point to all of my colleagues here. We just had a vote on

which 135 people voted for retroactive application of term limits. I will now expect in honesty and truth in legislating for every one of those 135 to vote for final passage, whether it is my bill or whether it is the Hilleary approach or whether it is the approach offered by the gentleman from Florida [Mr. MCCOLLUM]. Because I will assure you whichever one comes forward as the will of this House I will support. I will not insist on six. I think it is a little bit better. But I am happy to vote for one of the 12-year proposals.

So I particularly would hope that those on the Democratic side, the 81 that just voted for a retroactive application of term limits, as this House works its will, that you will vote with us on final passage. We need your help to get 290 votes. We have an opportunity. If every one of those 81 come with us, we will have term limits at the end of the night, and I look forward to that day.

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

□ 1730

Mr. CONYERS. Mr. Chairman I yield myself 3 minutes.

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

Mr. CONYERS. Mr. Chairman, we now come to the most objectionable of all the term limit proposals. The Inglis substitute would limit Congressmen to a mere 6 years—or three terms—in office. The proposal would make it impossible to run this institution in an orderly and intelligent fashion.

If the Inglis substitute 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 new leadership roles this Congress.

And if the Inglis proposal is 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 is the most radical of all the term limit substitutes. 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.

The Inglis substitute 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.