

within seven years from the date of its submission to the States by the Congress.”

Mr. THOMPSON. Mr. President, for the information of all Senators, the Senate is now considering the constitutional amendment regarding congressional term limits. I have just sent to the desk a series of amendments to the joint resolution, the effect of which is to ensure that the debate remains on the issue of congressional term limits. If the amendment process had not been completed, it was the fear of this Senator and many others on this side of the aisle that other Members were intending to offer an amendment which would not be relevant to the pending term limits legislation. With the so-called amendment tree now filled, it is the hope of this Senator that the debate will now stay focused on this very important legislation.

It is also the understanding of this Senator that later today, the majority leader will file a cloture motion on the joint resolution which will allow for a cloture vote on Tuesday, April 23, 1996.

I appreciate the cooperation and support of the majority leader for bringing this issue before the Senate in such a timely manner, and I look forward to a vigorous debate today, Monday and Tuesday.

The PRESIDING OFFICER. Does the Senator from Tennessee yield the floor?

Mr. THOMPSON. I will yield the floor. I note my colleague from Montana seeking recognition, and I yield the floor.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, in 1994, in my campaign for reelection to the U.S. Senate, term limits was part of that campaign, and the Senator from Tennessee has picked up the yoke, so to speak, and is trying to do something about that. I was not convinced, when I first came to the U.S. Senate, that term limits was needed, but I am even more convinced now.

Mr. President, I ask unanimous consent that I may proceed as in morning business for just the next 4 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMERICANS ARE ON MY MIND

Mr. BURNS. Mr. President, I thank my friend from Tennessee. I thank the Chair. I have Americans on my mind today, and I am concerned that maybe some of us are not listening, especially the President and the Democrats, to America as closely as they should.

One stark realization, when I was home over the Easter break a few days ago, is that I filed and paid my taxes, like 115 million other Americans did. I imagine that most of them were a little bit upset after they paid the taxes. More than two-thirds of all taxpaying Americans, in a recent poll, think taxes are too high. Well, that is not a

very revealing thing, because we know two-thirds of them probably pay taxes and they probably think they are too high. A third think they are about right, and just 1 percent think they are too low.

Americans are a little upset—the people I talked to—and they have good reason to be. The Federal Government demands more and more of their hard-earned money and gives less and less in return. But there may be a blessing in that. Maybe we are lucky we are not getting all the Government that we pay for.

But I believe that this President, in the 1993 tax bill or the budget that at that time would put the biggest tax increase on the American people that this country had ever seen, was wrong on taxes and was also wrong on spending—both ends of the spectrum.

I think it is time that we extended the debate on the role of the Federal Government. In fact, if 1994 taught us anything, it is to say, “Let’s reexamine the role of Government at all levels, State, local, and Federal, and identify what we are supposed to be doing.”

Americans are on my mind, because the average hard-working American now works 2 hours 47 minutes of every single day just to pay their taxes. The average family pays 38.2 percent of the total income in taxes paid each year. This means that he or she will work 128 days, until May 7 of this year, just to pay its taxes.

A typical family pays the Federal Government before it pays its mortgage, before it puts food on the table, before it puts clothes on their kids’ back. We must change the direction that the curve is headed. We must change and we must stop that curve. Government is hard put because taxes are easy to raise. Most Americans may be astonished to know that their taxes have been raised 16 times in the past 30 years, as opposed to being lowered only once. With only a simple majority required to raise taxes, it is easier to pass a tax hike than it is to cut runaway entitlement programs.

President Clinton proved this in 1993 when he pushed through the Democratic Congress the largest tax increase in Congress, and I alluded to that before. Even today, the Federal debt continues to skyrocket because President Clinton refuses to sign a budget that brings down the yearly deficit. Not only has the President blocked passage of a balanced budget, but he has also taken away the middle class tax cut that Republicans promised in 1994 and that he also promised in 1992.

I want to bring up one figure, too, that a lot of folks do not realize. Here is how important this is. Forty percent of the income taxes you paid this year to the Federal Government just went to service the national debt, to pay the interest on the national debt—40 percent. We cannot allow that to happen if our children and their children are to have the same opportunities that we had in our growing up and the opportu-

nities to live in a great and free country.

Americans are on my mind today because of high taxes on American families, businesses are strangling, the economy is hurting, and they are hurting our children’s future. They have to come down.

So, as Americans are on my mind, and I think they are on the minds of many of my distinguished colleagues who represent real people in a real world, we must demand this Government to tighten its belt first rather than making you tighten yours. It is a problem that is magnified every day in the private sector. All one has to do is go home and just go down that path. Before we ever become Senators or Representatives, before we ever have anything to do with Government, in our private life, we should talk to the real folks that make America great.

AMERICA CONTINUES TO BE GREAT

Mr. BURNS. Mr. President, I associate my remarks with those recognizing Oklahoma City. That tragedy and what we learn from it is another sign that America continues to be great. The wounds will heal. There will always be scars, but we pick up and we continue to thrive and thrive in this great and free country.

So we salute Oklahoma, Oklahoma City, and all the Americans whose lives were touched by that tragedy.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

CONSTITUTIONAL AMENDMENT TO LIMIT CONGRESSIONAL TERMS

The Senate continued with the consideration of the joint resolution.

Mr. THOMPSON. Mr. President, I would like to take up once again the business before the Chamber, the constitutional amendment on term limits. This amendment would provide for a limitation of 12 years for Members of the U.S. Senate and 12 years for the House of Representatives. It is a constitutional amendment which will require two-thirds vote of this body and then ratification by the States. It is prospective in nature. That is what we are about here today.

It has been a long time coming. I believe this is the first time that a constitutional term limits amendment has worked its way through the committee system. I was proud to be able to sponsor the amendment coming out of the Judiciary Committee, and now we find it finally on the floor of the U.S. Senate for the first time in history.

I appreciate the leadership and the assistance of the majority leader in seeing that this has come about.

There was a term limits vote in 1947, as I read my history. I think term limits got one vote at that time. So it has been right at 50 years now since there has been any vote at all on the issue of term limits.

I find that absolutely remarkable because poll after poll after poll indicates that upward of 70 to 75 percent of the people in this country support term limits. I cannot think of anything else that enjoys such broad popular support that cannot even find its way on to the floor, much less get passed, before the Congress.

In a day and time when we are all hooked up with all kinds of electronic devices in order to monitor the pulse of the American people almost on an hourly basis—some say too much—there is such little time we have to reflect and deliberate, but that is what we do. At a time when we take public opinion polls, it looks like about every couple of hours in this country, in order to test what the people want, and at a time when we pick up the fact that 50 to 55 percent of the people want something in this country and we seem to jump through hoops around here in order to get it done and be responsive to the American people, we find that when it comes to term limits, although an overwhelming majority of people consistently say that they want this, it takes 50 years to even get it to a vote in the U.S. Senate.

I find that somewhat remarkable. Obviously, the reason is because in our daily lives here in regulating other people's lives and in spending other people's moneys, when it comes to us, when it comes to maybe short-circuiting what would otherwise be a lifetime political career, we turn the other way and we are not quite as interested in what the majority of the people want, or we come up with ingenious arguments why in this particular case we must show our independence and not give the majority of the people what they want.

We cannot say no to any kind of spending program that would balance our budget. But in this particular instance, we need to show our independence because what choice do we have if we accede to the wishes of the people? We would only have an additional 12 years in the U.S. Senate—an additional 12 years—as if this were an onerous proposition.

It is not an onerous proposition. It is not revolutionary. It is something that was contemplated by our Founding Fathers, who knew that from time to time circumstances would change and who provided in the Constitution a way to address those changing circumstances. Circumstances have indeed changed, and we will address those and why we need this particular amendment.

Let us talk for a moment about what the effort to get the constitutional amendment for term limits on to the floor is not all about. It is not about simply changing new faces for old faces. It is not about simply replacing people for the sake of replacing people. It is not because of any vindictiveness because we are mad at Congress, as a lot of people are, and that we want to punish somebody. It is not about that at all.

As a matter of fact, it is about just the opposite. It is about making Congress more credible with the American people. It is about enhancing the stature of Congress. Syndicated columnist George Will wrote a book a few years ago entitled "Restoration." It was about term limits and the need for term limits. He is an individual who, he says, opposed term limits for many, many years; and for a variety of reasons he came to believe that this was perhaps the only way that we would be able to work our way out of our problems that we are getting deeper and deeper into in this country.

But why would he call his book on term limits "Restoration"? It is because he believes that term limits would be something that would restore and enhance the credibility and the stature of the U.S. Congress. Indeed, how could it get much lower? Poll after poll after poll, again, indicates that after a brief blip after this last election, we are back down there in the view of public opinion, the American people, where we have been for so long that is abysmally low.

People have less and less confidence in their Government, have less and less confidence in their Congress. It is Mr. Will's view, and it is my view, that if we had more of a system that was contemplated by our Founding Fathers who could not have dreamed of a professional legislature at that time, that if we went back more to a citizen legislature type approach, that people would feel closer to their Government and have more respect for it.

I mention our Founding Fathers. I was reading recently, again, after George Washington served two terms, they beseeched him to stay on. "How can we lose the services of the father of our country? Surely the republic will fall if George Washington does not stay on past his two terms." George Washington knew better. That is why he goes down into the history books in the manner that he has and is viewed in the manner that he is viewed. He knew better. He got on his horse, road out of town, and history records that he never even set foot back in Washington, DC.

The same thing with Thomas Jefferson after serving two terms. Surely—surely—we need Jefferson to run again because we know what kind of respect and admiration we have for him, and back then also. He took his slings and arrows by his opponents and the press at the time, but he was greatly admired and respected. He, too, knew it would be a bad precedent.

We are talking about the Presidency in those cases, but it was before term limits, which, of course, we have on the Presidency. People who fight most vigorously against term limits for Members of Congress, who are usually Members of Congress, seem to be quite content to keep the term limits on the Presidency, which we have. But at a time before we had the term limits on the Presidency, those two great men saw the wisdom of serving a couple of

terms and then moving on. History will reflect that we have had some pretty good ones to follow them, also, who would not have been serving at the time that they served had the others chosen to stay.

So that is what it is not about. It is not about change for change's sake. There is nothing that inherently goes wrong with an individual when he reaches a certain age or you have served in Congress for a certain period of time. There is no biological changes that necessarily take place. He does not become evil because of that service.

We are talking about doing something that will enhance the stature and effectiveness of the Congress. What it is about is more than the individual Members who serve in this body or who have ever served in this body. It is no reflection on them. It is about us as an institution, and it is about us as a nation and about our future and about equipping ourselves in a way that will more effectively allow us to deal with what some believe to be insurmountable problems that we already have, fundamental problems that we really show no indication that we are capable of solving.

Mr. President, it is no less true that we are bankrupting this Nation simply because it is heard so often. But it has happened. We know it is happening. We know that the demographics are catching up with us. We know that when the baby boomers start retiring, it is going to wreak havoc on many of our social programs. We know that Social Security is in dire jeopardy. We know that Medicare is in dire jeopardy. Yet we cannot get to first base in doing anything about it.

We continue, after this so-called congressional revolution when my party was rewarded at the polls and we were all brought in, even after all of that, we have found that as an institution—I will even include the Presidency in that certainly—as a working government we cannot get to first base in solving the most dire fiscal problem that this country has ever faced.

We probably cannot do enough wrong to mess things up in the next few years. We will be OK. Most of us will be out of office and drawing our pensions, and we will once again have handed the problem over to the next generation. But down the road, as surely as I am standing here, we know the demographers tell us that we cannot continue down the road that we are on. It is just that simple. Everybody in Washington, DC, behind closed doors will acknowledge that.

Doing something about it, of course, is the hard part. We have not shown any indication that we can really do anything about it. We are talking about a 7-year balanced budget plan. The Republicans have tried mightily to get that done. We passed in the Senate for the first time in decades a balanced budget. The President vetoed it.

But even if we had that plan according to what we wanted, at the end of

the 7 years, our country would still be looking at a \$6 trillion debt, a \$6 trillion debt. We talk about addressing this problem to the extent that we claim to be addressing it with the assumption there are not going to be any recessions and not going to be any international conflicts and not going to be all the things that always happen—that always happen.

What are we doing to try to get to the first step? We are arguing over the division between entitlement spending and discretionary spending. Nobody really wants to do anything about entitlement spending because where the problem is is also where the votes are. It is tough to tell people we cannot continue to do things the same old way and we cannot continue to increase every year at the rate of 10 percent. Everybody knows it. We do not have the ability to tell that to anybody, because we are afraid to, because we want to get reelected, and we want the campaign contributions that come from it.

The plans that have been laid on the table, and I will be as bipartisan as I can about this, all the plans that have been laid on the table back end load the problem. The President's plan does it more than any of the rest of them, but all of them back end load the problem. So when we come up with a so-called balanced budget, all we are doing is putting numbers down on a piece of paper, hoping that years later some future Congress will have the guts to do what we do not have the guts to do, and we claim we will slash discretionary spending in the outyears, after we are out of office.

That is what will happen. That is the way we balance the budget. That is hogwash. It will not happen and everybody knows it is not going to happen. That is the best-case scenario. That is the best-case scenario.

If we made that initial downpayment, that is what we would be doing. It is not really a downpayment. If it really were a downpayment, we would still be looking at very bleak fiscal circumstances on down the road. That is not even to address the need that we have in so many other areas.

We talk about—we who call ourselves conservatives—talk about the need to reduce the rate of growth of some of these spending programs which has surely got to be done—and will be done, also, one way or another or we will monetize the debt and inflate our way out of it and become a second-rate country.

What we do not talk about sometimes is the fact that we need to spend more in certain areas in terms of our infrastructure, in terms of research and development, things of that nature. What do those things have in common that the things I have been talking about do not? It has to do with the future. There is no immediate payoff for infrastructure and research and development and things that will make our industry stronger, policies that will make our industry stronger down

the road. There is no immediate political payoff for that. It is difficult to explain that to people.

What is not difficult to explain is a check in the mail 10 percent more than the check you got in the mail last year. That is what is driving the process. That is why we are in the position we are in.

So not only are the demographics going to catch up with us as far as our spending problems are concerned, we are going—without taking care of some basic fundamental needs that any strong nation has, because all this money is being eaten up with regard to a handful of programs which, with the increased interest on the national debt, is facing us with catastrophic circumstances.

You will hear the debate now that the deficit has gone down a little bit. Well, it does not make any difference if you look down the road just a little, if we look past our nose—and that is about as long range as we look or plan anymore in this country. When our competitors think in terms of decades, we think in terms of the next election and next quarterly statement if we are a corporation. If we look past our nose, the temporary ups and downs, the demographics and what is built into the system is simply going to kill us. It cannot be sustained.

That is what term limits is about. You wonder maybe where this comes in, that and what term limits is all about. It is not about kicking a bunch of people out. It is a system, a system. What kind of a system is it that produced what I just described? What kind of a system is it that we have that has produced those circumstances?

In the first place, it is not a system that we have had since the history of the country. I mentioned changed circumstances and our constitutional framework being such and our Founding Fathers being wise enough to see that there would be times and circumstances when we would have to adjust our underlying document to meet those changing circumstances. You look back in the days of the Founding Fathers and look at the challenges that they faced, it seems to me like, in many cases, or in most cases, it was more of an intellectual challenge. You needed people who understood history. You needed people who knew about other governments. You needed people who understood human nature. You needed some philosophers. Yes, you even needed some lawyers and people who understood Constitutions and how laws were written. But you needed those intellectual traits that really laid down the most noble document in the history of the world as far as what secular man has produced. We got it.

Then it seems to me that as time came along in the 1930's and the 1940's, new challenges were presented. We had the Great Depression, which my mother tells me about. We had a major war, a world war. At that time we needed inspiration. We needed programs. We

needed the Government to do the things that the Government maybe had not done before. We needed unifying actions. That was the era in the beginning of what some referred to as the "rhetorical Presidency," when FDR—and Woodrow Wilson was a great advocate of this—we needed somebody who could rally the people and get them together to a concentrated course of action. That was needed during those times.

Those circumstances have changed now. We do not need what we needed before because we are not faced with what we were faced with before. In many cases, we have to go back and revisit what we have already done, because since those times the very nature of our Government and society has changed. We, as an institution, are less well equipped to deal with the problems than we have ever been before. Our basic problem now is not one of intellectual leadership. It is not one of rhetorical leadership. Our problem now is the lack of will, the lack of will to do what we know that somebody, either us or our successors, have to do. We do not have the lack of will.

Why is it we are in such a system now? I think it is because of many reasons. Look at what has happened since then—the growth of Government. Government has grown mightily since then. That means spending, the cult of spending, the political reward you get from bribing taxpayers with their own money. It sounds pretty harsh, but that is essentially what it amounts to. No politician was ever turned out of office simply because he said yes to somebody, that, yes, they could have whatever they wanted. That is kind of what we feel like we are there to do, is to listen to people who want money, want programs, want increases and want more and respond to that. It is the cult of spending.

Because of our desire not to ever want to say no to anybody, because that could endanger our career, we more likely than thought, "Go along with it." That is a shorthand for the basic problem we have. There are other factors—the overall philosophy that you need somebody in the Senate, for example, who has been around for a long time. The idea is you come up here and you stay as long as you can and then at the end of the day you are in a position to get more pork for your State than anybody else.

That is the philosophy that still holds over to this day. You do not worry about the Nation necessarily; it will take care of itself. For a long time, the Nation did take care of itself. It was like one old Texan said one time, "I have watched those folks from up North talk about this. They do not do it better than we do, and every time they get a ham, I'm going to get a hog." That is the way he worked his career, and he got a lot of hogs.

That might have been all right for a while. But now, what is good for the Nation is good for the State; what is

bad for the Nation is bad for the State. Nothing is going to be good for any particular State if it is bad for the Nation. We all live in the same world. We are bringing kids up in the same world. They are all going to be suffering from the consequences of what we are doing right now. But usually, again, getting back to spending, they are the ones that are going to be paying 80 percent tax rates and paying astronomical interest rates when they go to buy their first home or automobile. They are the ones who are going to suffer the consequences. It is not going to make any difference to them whether or not we got an extra road built somewhere.

The interest groups have proliferated every year, and more and more come to town. People have a right to come and petition their Government. I have never been one of those who criticize people who come in and petition their Government, whether they do it personally or through a hired lobbyist. If we are going to pass laws that affect people's lives, we have to expect people to come in and tell us what effect that is going to have. But we have passed so many laws, regulating so many aspects of life in America and business in America, and everybody now has a stake up here, and they interpret that stake in terms of how much more can they get from up here. It is not a matter of concentrating on making the pie bigger anymore, it is a matter of making sure you get a bigger share of the pie, which means taking it away from somebody else. That is the fight up here.

As the interest groups grow and become more powerful, they have a carrot and a stick for every Member of Congress. The carrot is financing them. The stick is working against them for their reelection. Those are powerful motivations, all under pressure and going toward the ultimate result of more and more spending—more and more spending.

Someone said one time that the ultimate test of a democracy was whether or not, once the people learn they can pay themselves out of their own treasury, they will never have interest rates. That is the question we are going to have to answer in this debate. I am not sure that the answer is looking all that good.

So what will term limits do? It is no panacea, we know that. There is no short-term solution. This constitutional amendment process in and of itself certainly is not a short-term process. But what I think it will do is better give us a chance to deal with these problems, to ameliorate the influence of the cult of spending that we have all fallen into in this town. In the first place, it will open up the process. People will know that certain positions will be open from time to time, and if they ever want to serve their country a little bit and come up here and look after the interests of their children and do the right thing, they do not have to go up against some well-entrenched in-

cumbent who has all the money he can possibly use because that is where the money flows, but it is going to be open. They say, yes, I have done something with my life already. I have a career, I am a small business woman, or I am a farmer, or I am a professional person. But I can give a few years, knowing that I will be coming back home before too long. I can give a few years of service. What is the motivation? What is going to be the motivation of that person to go build a political career and be timid and say, yes, and spend and spend? No, he cannot, because after a certain number of years, under this constitutional amendment, he is out. Two terms in the Senate.

I ask my colleagues, most of whom are going to oppose me on this amendment, I regret to say, what it would be like to run or serve 6 years in the U.S. Senate, knowing you are not going to have to raise any more money, and knowing that you are not going to have to worry about being turned out of office. Some people do that anyway—under self-imposed circumstances. I have committed to do that. I do not say that that is the only way to go. It is not the only way to go. I admire my colleagues who say let us change the system, including me, but until then I am not going to do it myself. I do not personally have any desire to stay past that allotted amount of time. That is my own personal decision. I am looking forward to the time when I can spend all of my time doing what the people sent me up here to do. That is the kind of system that we would have under term limits.

A third of the people, at all times, in this body would be under those circumstances. Would that not be more likely to produce people who would be willing to take some risks in leveling with the American people, and saying we cannot consume any more right now because we are taking it from the unborn, we are taking it from your daughter's unborn child, because they will be the ones that have to pay the consequences. So we cannot have that right now. How many times have you heard anybody say that recently? I think if we had a different kind of system, we would be more likely to see that on a consistent basis. I think we would be more likely to do something about the cynicism that we have seen, which has been too prevalent for too many years.

I see other colleagues on the floor, Mr. President. So at this time, I will relinquish the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. COVERDELL. Parliamentary inquiry. Mr. President, under what order are we? Is the Senator yielding and controlling the time?

The PRESIDING OFFICER. There is no order with respect to that.

Mr. COVERDELL. Mr. President, I rise in support of the efforts of the Sen-

ator from Tennessee, and the Senator from Missouri, in support of the amendment to the Constitution to limit terms.

Mr. President, wherever I travel in my State, the citizens of my State are vastly in support of term limits. The Senator from Tennessee said it is not a panacea, and that is right. But I do believe that the reason the American people are so supportive of term limits is because they have come to view the Nation's Capital as a bastion, a fortress, a place where their accessibility is difficult to accomplish. I think they have come to believe that the responsive nature of our Capital City is lacking. And they are seeking to support every tool, every form of discipline, which they envision might contribute to opening it up—like opening windows to air things out in the springtime. They are looking for tools that they believe will help break through this fortress, that will help bring change to the way things are managed in our Capital City, and that will make the Government, their elected officials, more responsive.

There can be no doubt but that over the last half century Washington has become a professionalized institution. The politician of today does not remotely resemble what our forefathers had envisioned. They envisioned legislators for an interim period. They envisioned legislators who dedicated a certain portion of their lives of each year to legislating, but were still connected in the workplace at home. They were still farmers, they were still merchants, they were still engaged in the life-making activities. They were not separated from the trials of their own fellow citizens. But today, as we have changed, and Senators talked about change, it is an entirely different process.

If you go over here to the Russell Building, which is where my office is, named after one of the most distinguished Members of this body, Richard B. Russell, of Georgia, and if you look up at the top of the doors, they were all numbered differently. The reason is that each one of those cubicles was the entire office of a U.S. Senator. Of course, it is half the floor now. That Senator had a personal secretary and maybe one other assistant. They got on a train, or they traveled by car in that day. They came to Washington, and they were here for a period of time entirely and then they went back. That Senator and that one employee were enough to respond to all the inquiries.

Today those are vastly enlarged offices. I do not know about the Presiding Officer's office. But we receive 1,000 to 2,000 inquiries a day—a day. It vastly changed the manner in which we function, and it tends to separate us.

Term limits will cause an opening up of the process. It will free and make more independent the voting of the membership. Perhaps, Mr. President, the single most important thing that

term limits will do is to bring to Washington contemporary thought about the day and about the time.

Mr. President, in another life I had an opportunity to be director of the U.S. Peace Corps. In that role, I probably met more of our ambassadors than any other individual in the Government, with perhaps the exception of the President, and I might have met more of them. There has always been an argument that they should be professional and not political appointees, and there is always a pressure that there be fewer and fewer political appointees. I always argued against it. I thought the majority should be Foreign Service in training. But I thought both the Foreign Service and the world were well served by mixing with these professionals contemporary thought, people who came from the workplace and who recently came from the workplace so that the Foreign Service in the countries around the world could get a feel for what was being thought in the country at that very time.

It is very easy to get disconnected in the Foreign Service, and it is very easy to get disconnected in this service because you are removed. It is not an intentional effort, but you are removed from day-to-day affairs, so contemporary thought is left behind. I think term limits addresses that issue, just as I believe that there is a purpose and use for involving in the Foreign Service's political appointments people who come from the workplace, who come into that apparatus and who have been dealing with the trials of the day because they are a better reflection and mirror of who we are as we send these people abroad. They can talk in very contemporary terms about what is happening on the streets, so to speak. I think that turnover, or that bringing to the Capital City the most contemporary thought, is useful.

Both the Presiding Officer and the Senator from Tennessee are contemporarily elected, and I think both agree with me that our attitudes are quite different than some of the colleagues who have been here for an extended period of time—not necessarily better, but certainly different because we have been on the hustings. We have been in our cities and towns. We brought the newest thoughts, one of which is term limits, to the Capital City. We were running for change, and I think term limits would be a perpetual agent of change.

Mr. President, I will make a couple more comments and then yield.

For the life of me, I do not understand why we have term limits for mayors, for Governors, for Presidents, for State legislators, but that for some reason it would have a dilatory effect on the U.S. Senate. Somehow my State has survived rather adequately with stringent term limits. At one time you could only serve as Governor for one term. At one time the terms were only 2 years. Yet, the State prospered and grew and became better. I cannot find

any empirical evidence where term limits have diminished the expertise, or talent, or ability of Government. In fact, I think it has had the capacity of energizing it because there was always a new personality coming into the picture, a new emphasis. I think it has stimulated citizen thought because we are seeing an array of different personalities and ideas that are being brought into the system. I think again that is what term limits will ultimately produce.

I do not believe it will diminish this institution. I think it will help the institution as it has in our States as Governors and in our cities as mayors. This device has been a useful tool to bring contemporary thought to invigorate the debate of ideas to our institutions.

I commend the Senator from Tennessee, I commend the Senator from Missouri, and others who have joined in this historic effort to bring this institutional change.

The Senator was talking about the vast difference in our times. It was de Tocqueville who warned us of the one frailty he saw in our new democracy which was that as time went on, would it be able to have the will to discipline itself from the pressures of elections, the pressure to stay elected mounting a burden on that constantly seeking of elections? I think it is right to raise that issue because it is clearly an issue of independence and intimidation that has produced a financial dilemma for our country that could bring about the fact that we are sitting here today in the U.S. Senate faced with, in the decade, five different programs consuming 100 percent of the U.S. Treasury. It is clearly a result of a citizenry that is not functioning the way our forefathers intended it to function.

So I commend you and the others, and I am pleased to have had an opportunity to come to the floor.

Mr. President, I yield the floor.

Mr. THOMPSON. Mr. President, I thank my colleague from Georgia. He has been a leader in this effort for some time and a leader before I got here. I would like to refer again to the thought that he expressed, that term limits would not diminish this institution; it would enhance the institution, going back to the proposition of restoration, and restoring it.

Mr. Will pointed out in his book that back when the country was founded, people would line the streets and say, "Long live Congress, long live Congress." Can you imagine someone—anyone—much less lining the streets, today saying "Long live Congress"?

I think this would do more to enhance the U.S. Congress in the eyes of the American people, make it a part of them, and open it up for them. It would give the 250 million people in this country—we have 250 million. They say, "My goodness, if we had term limits, we would not have had Senator Jones here for all of these years. We all acknowledge that our Republic would

surely have fallen if we had not had Senator Jones." But we have 250 million people. How many potentially wonderful contributors to our society are there out there, if we open up that system for them and let them compete in the political marketplace without having to overcome the insurmountable odds and money that our system has thrown in their way?

I see my colleague from Missouri, whom I am proud to say I have walked shoulder to shoulder with through this process. He and I have been here. No one has worked harder in this area. I see he is present.

I yield the floor.

Mr. ASHCROFT addressed the Chair. The PRESIDING OFFICER (Mr. COVERDELL). The Senator from Missouri.

Mr. ASHCROFT. Mr. President, thank you very much. I want to thank the Senator from Tennessee for his leadership and commitment on this issue.

Term limits, at its core, is about fundamental American values. More than anything else, a free society respects the will of the people. It is understood that from time to time the passion of the people will move wildly in one direction or other. But when we are talking about term limits, we are not talking about some passionate wave of support for a novel concept.

Term limits is a considered understanding of a reform which is working. It is a limitation on service that has been operative for the duration of our democracy in terms of the executive branch, with the exception of President Roosevelt. It is in place in States all across America. So it is indeed consistent with one of the basic values upon which this Nation was founded—a respect for the will of the people.

Our ability to receive communication from the people and to respond constructively is one of the reasons that I have sponsored and opened the first electronic on-line petition to the Congress of the United States, from the people of the United States, so that groups and individuals can show their support for congressional term limits.

I think it is important that we provide this opportunity for the people of America to indicate their support and demonstrate their interest in this issue. And for groups, interest groups and citizens, that have worked together on other projects, they can knock on the door of the U.S. Congress through the Internet and alert us. We have had more than 40,000 people visit the term limits petition page.

Mr. GRAMS. Mr. President, I was wondering if I could ask the Senator from Missouri a question regarding just what he has said about this petition bill which the groups are trying to help with on the World Wide Web and Internet. Where do you find the most of the support coming from? Who has been out there knocking on the door offering their support, and, maybe more importantly, who has not been

there when we have needed this type of help and support?

Mr. ASHCROFT. I thank the Senator from Minnesota. We have gotten lots of support from groups, of course, who are focused on term limits—United States Term Limits, Americans Back In Charge, the American Legion, the American Conservative Union, the Christian Coalition—politically focused groups that understand the need for the revolution, which the American people have asked for, and a change in the way Washington does business.

Individuals all across this great land have flooded our term limits home page. It has been especially interesting to see what has happened on the Internet because it allows people who might not have the capacity to come to Washington the chance to communicate. I have had blind people use the Internet. I have also had paraplegics write thanking us for opening this link of communication.

Interestingly enough, I am pleased to say to the Senator from Minnesota, the community at large has been willing and eager to help us open this link of communication. C-SPAN linked our term limits home page to their home page. USA Today, the newspaper, linked our term limits home page and our petition to their home page. CNN, the Cable News Network, provided a link. Politics USA, which is on the net, provided the services of CompuServe and America Online. We have had a tremendous outpouring of assistance and support. It has been very interesting to see the surge of interest and support that individuals have rendered which have made it possible for Americans to express themselves.

(Mr. GRAMS assumed the chair.)

Mr. ASHCROFT. The Senator asked who has not been here. We have had people from virtually every walk of life, but there have been a few notable absences, and that has caused substantial disappointment. For instance, United We Stand, Ross Perot's organization, has always advocated term limits, but I have not heard a thing from Ross Perot about this. That is a disappointment. I certainly hope that his commitment to term limits is not just lip service. People want commitment to revolution—change or reformation—to be substantial, and I believe that Americans want a real commitment to this kind of revolution.

An important aspect of this debate is the fact that Senator DOLE first scheduled it last fall, and it was clearly sent as a signal. With such advanced notice, we had the ability to set up the home page for term limits. Not every issue comes to the Senate with this much advanced publicity. With that kind of open communication, people who really care about term limits have had the opportunity to get involved.

That is why I thank Americans Back in Charge, US Term Limits, the American Legion, the Christian Coalition, the American Conservative Union, and numerous other groups. And I thank

groups like USA Today and CNN who allowed us to have a link from our home page to theirs. It is disappointing that those I expected to be there, who have given lots of voice to a commitment to term limits, have not shown up. However, I believe we have very broad-based support. Yes, there are a few disappointments, such as Ross Perot, but that does not mean they do not favor term limits.

Speaking of those who favor term limits and what we have done with it nationally, let me go to a chart which illustrates some important points.

About 7 or 8 out of 10 people, according to all the polls, favor term limits. These States have sought to enact term limits for the U.S. Congress, saying that people who represent their State should be limited in the number of terms they can serve.

It is interesting to know that these are the States, by and large, that have the initiative process for enacting legislation, meaning that if you are in one of these States and you do not like what your legislature is doing, you can start a petition drive. You can actually initiate a move to enact, to enshrine in the law, a concept that the people want regardless of what the legislature wants.

The fact is, you would find that there are 23 States that, on their own motion, simply took the matter into their own hands. They said, "We want term limits. We are probably not going to get it from the professional politicians, but we will do it by signing petitions; we will take to the streets; we will provide the impetus for this revolution."

Arkansas is a good example of a State which took such initiative. Arkansas was one of the more recent States to attempt to limit the number of terms the individuals from their State could spend here in Washington, DC representing them. And out of that enactment came a famous case which was handed down by the U.S. Supreme Court last year saying the States cannot do this. The States cannot individually decide on their own that they will limit the terms of the individuals they send to Congress. So, it is 23/50 of the States generally. It is almost 100 percent of the States with initiatives by the people.

The Arkansas case, which was ruled on by the U.S. Supreme Court, said that the States cannot limit the period in which their own representatives serve. In effect you have the U.S. Supreme court saying that States do not have the authority. You have the courts, public servants who upon appointment are there for life, against term limits.

One of the reasons we had the judiciary against term limits is that the administration, the executive branch, argued before the court in opposition to term limits. With both the executive branch and the judicial branch standing before the will of the American people their only hope is for the United States Congress to be for term limits.

I suppose it is true that the Congress is for term limits—term limits for everybody but the Congress. It reminds me of that old saying in my legislature back in Missouri. They would say, "I will not tax you and I will not tax me, we will tax the fellow behind the tree." We are willing to have discipline for everybody but ourselves.

The whole idea of term limits is not novel. Senator THOMPSON, from Tennessee, has done a masterful job of talking about this concept. It is not novel. George Washington set the standard for term limits in this country when he said we should distinguish America from the monarchs of Europe, that we needed to have that renewing flow of creative energy from the citizenry of the country regularly. And he walked away because he understood the value of new life, of new input, of the new energy that comes from new people coming forth from the American citizenry.

Term limits reflects George Washington's view of the depth of the talent pool of a free society. He may have looked to some casual observers like the only person with the integrity and capacity in America who could have led the country. There have been times, I suppose, when it may have appeared that there was only one. But I happen to have a view of the talent pool of America that is similar to that of George Washington, and that is that we have enough talent that we do not have to lock a few people into office, thinking they are the only ones who can do the job.

I do not think there is any concept that is more ridiculous—and it is almost amusing except it is tragic—than the thought by some Members of this body that we are the only 100 people who could make good decisions in the U.S. Senate. As a matter of fact, we may not be capable of the good decisions, and I think the marketplace of public opinion will determine that. But this country is rich in terms of individuals with the capacity to make good judgments. We need not fear that we do not have enough talent to change public officials once in a while.

We have established a history of term limits in this country. In the early 1950's, we checked term limits for the President of the United States. We had a President in the mid-1930's and 1940's who ran four times and, with the tilted field of incumbency, snowballed himself into office four times. The American people understood that the value of incumbency is the No. 1 perk of public office. You can talk about election reform. There is no election reform more important than the election reform of term limits. The American people understood that the tilted field that came from long-term exploitation of incumbency simply had to be leveled, and they leveled the field for President back in the early 1950's, with the 22d amendment to the U.S. Constitution. The President became a term-limited office.

To hear some of the academics talk about term limits, you would think that would have been the ruination of America. Not so. Not so at all. As a matter of fact, there are a number of States that have long embraced the concept of term limits for Governor. As my friend from Georgia, Senator COVERDELL, indicated, some of those term limits were very short. But the States prospered, finding that the talent pool available in their jurisdictions was always adequate to supply the need for good public officials. There are 41 States that have sought to limit their terms.

Mr. President, 23 States tried to limit the terms of Members of Congress, and most of those came as a result of the will of the people specifically, and there are about 20 States where the State legislatures themselves have limited themselves in their terms, because they have understood the value of term limits.

I say this to make a point that I hope can be made fundamentally clear. Term limits is not an experimental, novel theory. We have only had one time when we did not have a limit of two terms on President of the United States by virtue of the respect for the term-limits policy of George Washington, and now we have it by virtue of the 22d amendment to the U.S. Constitution.

We have 41 Governors who are term limited. We have 20 State legislatures that work under term limits. We have a Congress of the United States which should have been term limited, I suppose, in 23 States, were the courts to allow the will of the people to prevail. But the courts said that had to be set aside. So that the American people have a vast experience with term limits.

Not only do we have term limits at the State level but at the municipal level as well. Cities have term limits, notably the largest city in America, Los Angeles, and the second largest city in America, New York City.

The President of the United States works under term limits. The Governors of the States are term limited. You have the State legislatures that are term limited. And you have the individuals who work in the cities that are term limited. You say, "Wait a second, who is out of step here? Members of Congress or the American people?"

You also have the academics and those from the think tanks who say that term limits simply cannot be respected and that they cannot be expected to operate. It is a terrible concept. It will destroy Government. I say to those guys in the think tanks, "You may not be able to work this out in theory, but the American people have worked it out in practice." It may not work inside the ivy-covered tower of academia, but it has for centuries, and in hundreds and hundreds of circumstances. And what is more impressive to me than that is, where are the people rising up to set term limits aside?

You have this incredible array of term-limit operations all across America, and the people operate in the context of term limits, where it is there, and they like it. They do not overthrow it. They do not have petitions to get rid of it. They do not have demonstrations against it. As a matter of fact, when the people see it operate in all these segments and the big zero here around the Congress of the United States, what do the people want to do? Does their aspiration reflect their displeasure with term limits as a concept or their endorsement of term limits as a concept? I submit it takes no rocket scientist to figure this one out. Mr. President, 70 to 80 percent of the American people endorse the concept of term limits for the U.S. Congress.

I just want to point out they do not endorse the concept out of ignorance. They do not endorse the concept out of a lack of familiarity. They do not endorse the concept because they do not know what they are talking about. They endorse the concept on a basis, a very substantial basis, of watching, observing and living with the observable impacts of the concept as it is related to the President of the United States, as it is related to the Governors of their States, as it is related to legislatures in their States, as it is related to city, county, and local officials in their States. And, all of a sudden, we come to the judgment: Wait a second, maybe—maybe—the people could be right about this. Of course, it is part of the definition of democracy that we value the input of the people, especially when the people are not responding to some cataclysm, but they are reflecting their considered judgment after a rich heritage of experience.

It reflects their confidence that America is not a shallow pool containing scarcely 100 people who could serve in the Senate. No, it reflects their understanding that with individuals who can use the perk of incumbency to vote themselves back into office by dealing out the resources of the next generation, they look at that and say, "There's a difference between what we do at the State and local level and what the Congress does."

Mr. LEAHY. Will the Senator yield for a question?

Mr. ASHCROFT. Certainly.

Mr. LEAHY. I do not know if the Senator was aware that in the Judiciary Committee I had offered an amendment and included in the Committee report that I intended to offer an amendment during this debate which would basically make term limits effective immediately. Obviously, you could finish the term that you are in; the Constitution would require that. But if, at the end of that term, you fit the number, whether it is two in the Senate and whatever it might be in the House, you would have to leave. That would be true term limits.

I say this because I have heard a number of Members of the House who have been here for 20 years who say

they are for term limits, and we have at least one senior Member of this body who has been for term limits literally before I was born but is still here.

Would the Senator from Missouri support my amendment to make term limits effective immediately, that is, at the end of whatever term you are in? If you fit the bill you are out?

Mr. ASHCROFT. First, I was aware of the Judiciary Committee's deliberations on this. Second, I am aware of your position. Now, let me tell you what I support.

I support a measure which would limit the terms of Members of the House of Representatives to three terms and Members of the Senate to two. It would be no problem for me to limit my own terms, particularly since I am new to this Chamber. Indeed, I came here intending to limit my own terms to two.

Mr. THOMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

AMENDMENT NO. 3699, AS MODIFIED

Mr. THOMPSON. Mr. President, I modify amendment No. 3699 with the text I now send to the desk.

The PRESIDING OFFICER. The Senator has a right to modify his amendment, and the amendment is so modified.

The amendment, as modified, is as follows:

Strike all after the first word and insert the following: "instructions to report the resolution back to the Senate forthwith with an amendment as follows:

"(two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States:

"ARTICLE —

"SECTION 1. Each State or the people thereof may prescribe the maximum number of terms to which a person may be elected or appointed to the Senate of the United States.

"SECTION 2. Each State or the people thereof may prescribe the maximum number of terms to which a person may be elected to the House of Representatives of the United States.

"SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution 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."

Mr. THOMPSON. Thank you, Mr. President.

Mr. ASHCROFT. Mr. President, if I may reclaim my time.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. LEAHY. Will the Senator yield for a further question?

Mr. ASHCROFT. The Senator will be pleased to yield at the conclusion of his remarks. I would add that I happen to be one of the few people in this body who has been term limited. I think it was a good thing.

I have observed the operation of term limits at the State level and, believe me, it is appropriate. I think it is important that the Senator understand

what differences there might be if we were to have term limits.

Term limits change the way decisions are made. It is of interest to me that Stephen Moore of the Cato Institute conducted a study to determine what life under term limits might be like. What he found is we would have passed the balanced budget amendment three times. Concurrently, we could have equipped the President with the line-item veto as long ago as 1985. Can you imagine? Life under term limits would be different alright.

It is my belief that the people of this great land have said, "We are tired of displacing the costs of our own consumption to generations yet to come. We are tired of the fact that every new child has a debt at birth of \$18,000." And yet, commonsense reforms like these continue to fall short of the support needed for passage.

Mr. President, those are the things that did not pass. The study went on to note things that did. It is interesting. I see my friend, the Senator from Tennessee, is nodding his head because he knows what the issues are. Neither of the last two tax increases would have passed, and the last two pay increases would have failed as well.

I do not think that we should have term limits in order to get specific legislation. I think we ought to have term limits because it reflects well on the fundamental values of America. We should give the people what they ask for, what they know they want. We should at least give them the opportunity to vote on it. What stuns me is that Members of this body do not even want to let the States have a chance to consider it. That is a rather troublesome thing.

There are a wide variety of arguments that people bring up against term limits. It is said, "Well, won't term limits increase the power of non-elected bureaucrats and staffers?" I think in theory you might think the staffers will know everything. That has not been the way things have happened, however. It was not too long ago that PHIL GRAMM came to the Senate and tried to upset the apple cart of spending in his very first term. I think the 1994 newcomers have brought new ideas and energy as well.

Somebody said, "Well, it will increase the influence of lobbyists." I think the basis of lobbyist relationships is long-term. As a matter of fact, most of the lobbyists I have talked to are opposed to term limits. They make big investments. They want those relationships to be as cozy as possible. I do not think we ought to have individuals in the Congress looking forward to long careers in Washington, DC. I think we need people looking forward to service in their district or State.

I believe the people of America have a strong understanding of term limits. The people have enacted term limits for 41 State Governors. In every State where they have had the initiative process, they have added Congress to the mix.

The beltway around Washington is the barrier to reform. Roughly 74 percent of the people want term limits. We have the opportunity to give it to them. And we have resisted. It is our fundamental duty to reflect the will of the people, to offer them the opportunity to embrace term limits for the Constitution of the United States.

The Senator from Vermont inquired earlier about retroactive term limits. What is interesting to me is that, to my knowledge, everywhere the people have had an opportunity to enact term limits on their own, they have made the limits prospective. I believe that is why we should have the kind of bill which has been proposed. It is not that you could not have another kind of concept. Instead, it is because this is what the American people prefer.

So I think the will of the people themselves is instructive. There may, of course, be a theoretical reasons why people would want a different approach. I do not know what that might be. But given the experience that the American people have had, and the durability of their understanding, I think it would behoove us to make our approach consistent with what they have requested in the past and with what they have specifically asked for themselves. That is consistent with the fundamental value of democracy for which this country stands.

Ultimately, term limits and our ability to offer it to America for inclusion into the Constitution at the adoption of the States is something that should foster, underscore, emphasize, improve, and strengthen the values for which we stand. I yield the floor.

The PRESIDING OFFICER (Mr. ASHCROFT). The Senator from Vermont.

Mr. LEAHY. Mr. President, I listened to this whole debate on term limits with some interest. I am well aware of the fact that the Republican leadership has tried to set this up so that nobody can introduce any amendments. The Republican leadership has filed for cloture within 5 minutes of beginning proceedings and is apparently going to do everything possible to block anybody from raising questions.

I succeeded a Republican Senator. Everybody who has ever been elected from Vermont has succeeded a Republican Senator because I am the only Democrat our State has ever elected. We are the only State in the Union that has elected only one, and, for better or worse, that is me. My predecessor, a distinguished Republican, was elected the year I was born and served until I arrived here. This Republican Senator was considered the dean of the Senate. The fact that he served from the year I was born until I came here probably gives some sense of term limits in our State.

Frankly, I have a great deal of respect for our distinguished majority leader, Senator DOLE. On term limits, I would have only gotten a chance to serve with him for one term, way back in the 1970's. Then he would have been

gone. The distinguished President pro tempore, Senator THURMOND, who held elective office long before I was born, I would not have gotten a chance to serve with him at all. In fact, virtually the whole Republican leadership would have been long gone by now.

What I worry about when the amendment is written so as not to apply to current Members is that this is a little bit of a shell game on the American public. It is a bit of a con. It was probably not meant that way, but it amounts to this: You could have a Senator who has been here for, say, three or four terms and vote for term limits. They are up for election this year, knowing that a constitutional amendment cannot be ratified in time this year. That same three- or four-term Senator if reelected this year, could proceed to serve that 6-year term and two additional 6-year terms, 18 more years, after voting to impose a 12-year limit on all those who are first elected to the Senate after the amendment is ratified. Or somebody who had served five terms, say, a Senator who has been here for 30 years, could vote for term limits and, having served 30 years, serve 18 more. Then they would say, "I am for term limits." Now, be honest. Vote for it or do not vote for it. Everybody has to make a determination.

There are, of course, term limits. Every 2 years in the House of Representatives there is a term limit. It is called an election. In my State, every 2 years there is a term limit for Governor, and virtually every other office has a term limits. It is called an election. Every 6 years is a term limit for Members of the Senate. It is called an election.

However, do not call this proposed constitutional amendment one of term limits when it is set up in such a way that most of the Senators in this place could vote for it, and no matter how many terms they had already served, could count on serving for 12 to 18 more years. You have Senators who served here before people were born, who could be serving here long after they are retired under these so-called term limits. Now, that is not term limits.

Make sure that the American public understands, under this proposal, any Senator, no matter how long he or she has been here, could vote for this, see it go into the Constitution and still be in office for another 12 to 18 years, even if they have already been here for 20 years, 30 years or whatever else it might be.

I hope, Mr. President, that even though the Republican leadership—all of whom have served here for many more than two terms—have done their best to block any chance for my amendment to come up, I hope they would change their mind and realize that blocking a vote on it might appear a tad hypocritical to those people who live in the real world. Those are the people who do not rely on their elective office, who do not, as the distinguished Senator from Missouri said, live in

think tanks, but the men and women of the streets of Vermont, Missouri, or anywhere else. Those people may see a bit of hypocrisy if they see somebody who has been here for 24 or 30 years, whatever, vote for a proposal which would still allow them to serve for another 12 to 18 years, and call it term limits.

I think the American public will see through that hypocrisy, especially when the American public knows that they can set term limits anytime they want, every single election. That is something to keep in mind.

Some say we do not have it in our power to pass term limits. We have it in our power. Every one of us has to file petitions or take steps in our States to qualify for election. Any one of us can say, "I am setting term limits. I am leaving at the end of this term." No constitutional amendment is needed to that. It is term limits.

I wonder how many Senators are here who are now in their fourth, fifth, or sixth term, who every single time they run say, "We need term limits, we need term limits, and I will keep on saying it for the next 20 years, we need term limits." They could limit it simply by leaving.

Do not call this amendment term limits, where a Senator in his third, fourth, fifth or sixth term could vote for this and still run for three more terms. That is not term limits. That is a bumper-sticker slogan. That is a political fundraising device. That is rhetoric for the campaign trail. But that is not term limits.

Term limits are imposed when Senators, and we have had a number on both sides of the aisle, who say, "I came here to serve two terms, or one term, or three terms," and then leave when they say they would. We have had many, many Senators on both sides of the aisle who were facing an easy reelection, but said, "This is the time to go. I leave."

Ultimately, in my State, where my Republican predecessor was elected the year I was born and served until I arrived, enjoying greater popularity every year, this is reflective of what happened. I think every so often we have to make it clear what is really happening here. I would vote to bring this amendment up for a vote. I think we should. But we should bring up each aspect of it and not do as the Republican leadership has: Stack the deck and do everything possible to block the chance that somebody might bring up an amendment that would raise a real question. Let us test whether those who claim they are for term limits would be for such limits being applied to them. Let them vote on something that might limit them at the end of this term, not at the end of this term plus another 18 years.

What this is, this amendment is an incumbent's protection limit bill, not real term limits. This is saying that somebody elected in the future will have term limits, but those of us who

are already here after several terms, we are protecting ourselves for another 18 years. If you are brandnew out there, a few years from now, we will term limits for you, but, boy, we are sure protecting us. Because if we have been in the Senate for 24 years or 30 years or 36 years, we are going to make sure we can stay around for another 18 years. We have protected ourselves in this.

No one who votes for term limits should stand up and say, "See how brave I am." Go back to the American public and say, "We are so brave, we limited somebody else to two terms, but for those still there, we have another three terms."

We will limit the men and women out there who have not yet run to two terms, but we will protect every single term we have already served and give ourselves another two to three terms. That is not term limits, that is campaign fodder, that is a bumper sticker, that is sloganeering rhetoric, but it is not term limitation at all.

FEDERAL JUDGES

Mr. LEAHY. Mr. President, every so often we have to remember that this is an election year, when a lot of campaign rhetoric comes up, just as it has in the past few weeks about the Federal judges nominated by President Clinton and confirmed by this Senate, which is now under Republican control.

I am a member of the Judiciary Committee and I have served on these nominations. I am familiar with the outstanding backgrounds of these nominees. I believe the U.S. Senate was right when we confirmed them and the President was right when he appointed them to the Federal bench around the country.

President Clinton took a Federal judge, the chief district judge in our State, a Republican, appointed by a Republican President, and moved him to the Second Circuit Court of Appeals. I believe that was the right move. The President then appointed J. Garvin Murtha, of Dummerston, Vermont, as the chief Federal district judge for the District of Vermont—another very good move. He appointed William Sessions of Cornwall, Vermont, as a Federal district judge, another good move and one applauded by Republicans and Democrats alike throughout our State—all three of these. Two of them were former prosecutors. I served as a prosecutor with two of them.

I am troubled by efforts to characterize President Clinton's appointments as soft on crime. Ask some of the people that have been sentenced by some of these Federal judges whether they think they are soft on crime. There was one reference made in one of the sentencings, "If you ever have to have a heart transplant, you would want the judge's heart because it has not been used yet." These are tough judges.

I was privileged to serve for 8 years as a prosecutor before being elected to

the Senate by the people of Vermont. I know a little bit about law enforcement, and I also know a little bit about political campaigns.

If you want to play a game of, "Oh, look at these judges President Clinton has appointed," and pick out an isolated case here and there—and there are tens of thousands of cases—you can play that game. If someone were cynical, they could play that game. If somebody wanted to pick out selected cases, they could play the game.

If I wanted to—and I do not, of course—I could talk about some of the decisions of judges appointed by Presidents Reagan and Bush, who reversed convictions or sentences of defendants that juries found guilty beyond a reasonable doubt of atrocious crimes.

If I wanted to, I could talk about Judge Daniel Tacha. I believe he was suggested by the distinguished Republican leader for an appointment to a seat on the tenth circuit. A good Republican appointment. He recently wrote an interesting opinion that suppressed evidence seized by a Utah State trooper. After a lawful stop, upon learning that the license of the driver had expired and after receiving suspicious responses from the vehicle occupants, the State trooper asked for and received permission to search the trunk of the car. Let us be clear that he had a right to do that on the face of it. He found a gun, scales, and a duffel bag that had crack cocaine in it. Despite the fact that the driver consented to the search, this Republican Judge ruled that once the trooper determined that the car was properly registered, he could no longer detain the defendant and, thus, the search was unlawful. The judge ruled that the crack cocaine was to be suppressed. If I were cynical, I would say that was an indication of how the Republican judiciary feels. But I am not going to.

In another case, a 13-year-old boy was murdered by four young men because the boy caught them stealing a bicycle worth \$5. These men stomped this 13-year-old boy to death and stifled his screams by shoving stones down his throat. All four men were convicted by a State court, and their appeals were rejected. But then Judge Richard Korman, a Reagan appointee, decided that the State appellate court was incorrect. He found "troubling inconsistencies" in the story told by law enforcement officials. As a result, he decided to free the convicted murderers—these men convicted of stomping to death this 13-year-old—on \$3,000 bail. I have seen traffic cases that got higher bail than that.

Now, if I was cynical, I would blame President Reagan for appointing them. But, instead, I will praise three other judges appointed by President Reagan—no, actually I cannot. I was going to say that they overturned this decision when it went to the court of appeals. But these other three appointees of President Reagan affirmed this. They did not even bother to issue an opinion. Is that an indication of the