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No. 57

## House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore [Mr. LONGLEY].

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

March 28, 1995.

I hereby designate the Honorable JAMES B. LONGLEY, Jr. to act as Speaker pro tempore on this day.

NEWT GINGRICH,

*Speaker of the House of Representatives.*

### MORNING BUSINESS

The SPEAKER pro tempore (Mr. LONGLEY). Pursuant to the order of the House of January 4, 1995, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leader limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from American Samoa [Mr. FALEOMAVAEGA] for 5 minutes.

### IN WELCOME OF THE PRIME MINISTER OF NEW ZEALAND, THE HONORABLE JIM BOLGER

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today on behalf of my colleagues in the Congress to extend a warm and heartfelt welcome to the Honorable Jim Bolger, the Prime Minister of New Zealand and members of his delegation. This is indeed an historic occasion, as it has been over a decade since New Zealand's Prime Minister has been invited to Washington to meet with our

President. And I want to commend President Clinton, Secretary of State Warren Christopher, Secretary of Defense William Perry, and Assistant Secretary Winston Lord for bringing about this normalization of our relations with the leaders and good people of New Zealand. I also want to welcome our Nation's Ambassador to New Zealand, the Honorable Josiah Beeman, who is also in Washington.

As some of our colleagues may know, in 1987, the United States Government restricted political, military, and security contacts with the nation of New Zealand in response to her adoption of antinuclear legislation that was perceived to be inconsistent with United States military interests in the South Pacific.

Although I can understand why our defense ties and Anzus obligations to New Zealand were terminated, I have never supported an across-the-board snubbing that our country forced New Zealand to endure for years. While we restricted high-level contacts with New Zealand, I find it ironic that our Government had no problem in meeting with leaders from totalitarian states and Communist regimes.

New Zealand is a longstanding and respected democracy that shares our values, and has historically been a close friend of the United States for most of this century. The people of New Zealand and America are much alike and have much in common—including a shared language, a common heritage of multiculturalism, and a firm commitment to the principles of free market economies.

Our two nations, as allies, have fought at each others' side against aggression in virtually every major conflict in recent times. From World War I and World War II, to the Korean, Vietnam, and the Persian Gulf wars, New Zealand has joined with America to combat those forces that have

threatened democracy and undermined international security and peace.

As a member of the U.N. Security Council, New Zealand has actively supported the United States in multilateral collective security efforts. This has included joint operations with America in U.N. peacekeeping missions to Cambodia, Somalia, Rwanda, and Haiti, as well as contributions to U.N. peacekeeping efforts in Bosnia, Angola, and Mozambique.

In the Asia-Pacific, both New Zealand and the United States support the Asean Regional Forum, which provides the best promise for engaging the major Pacific powers in a new multilateral security architecture for the region. In furtherance of nonproliferation controls, New Zealand early on supported United States negotiations resolving the North Korean nuclear crisis, and has strongly worked with the United States for indefinite extension of the Nuclear Nonproliferation Treaty.

Moreover, New Zealand has played an active and positive role in supporting United States efforts in international economic fora, such as the Uruguay round of GATT, APEC, the Pacific Economic Cooperation Council, and the Pacific Basin Economic Committee.

Given the nature of this long and extraordinarily deep relationship between our democracies, I strongly applauded the Clinton administration's policy change last year to resume senior-level diplomatic contacts with New Zealand for discussion of political, strategic, and broad security matters. The removal of New Zealand's diplomatic handcuffs has been long overdue.

Although several Members in both Houses of Congress lobbied the administration for years to lift the unfair restrictions, certainly Prime Minister Bolger deserves a good part of the credit. During the Seattle APEC summit,

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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his brief meeting with President Clinton resulted in a promise to review the relationship between our nations. No doubt their personal exchange expedited the review process, resulting in removal of constraints between our governments and resumption of high level dialog.

The Honorable Jim Bolger has been Prime Minister of New Zealand since 1990. Although the breakthrough in bilateral relations with the United States has been a significant accomplishment during his tenure, certainly Prime Minister Bolger must also be commended for the dramatic and dynamic revitalization of New Zealand's economy. Under Prime Minister Bolger's leadership, New Zealand has undergone comprehensive economic reforms, changing from one of the most insulated and restrictive economies in the OECD to one of the most open and competitive.

Today, New Zealand stands as a model for the rest of the world as to the benefits of free market reforms. The country's annual GDP exceeds 6 percent, inflation has been curbed at 2 percent, unemployment is rapidly declining along with foreign debt, while government budget surpluses are increasing.

To accomplish this feat, New Zealand has undertaken several initiatives, such as liberalizing trade by slashing tariffs and removing imports quotas, encouraging financial liberalization by eliminating controls on prices, interest rates, and wages, while introducing a floating exchange rate, broadening the tax base, by implementing a value-added tax, while cutting corporate and personal tax rates, reducing government budgets by privatizing public enterprises and removing subsidies, and substantial deregulation across most sectors of the economy, with a monetary policy targeting price stability as the major objective.

These free market reforms have culminated in the World Competitiveness Report in 1994 ranking New Zealand first for long-term competitiveness among the advanced economic nations of the OECD.

Mr. Speaker, in recognition of this historic trip to Washington, it is my distinct privilege and pleasure to congratulate Prime Minister Bolger and the good people of New Zealand for their unwavering commitment to democracy and outstanding economic accomplishments of its government.

On this great occasion, Mr. Speaker, I submit to my distinguished colleagues in this Chamber, to join me by welcoming Prime Minister Bolger and members of his delegation to our Nation's Capital. As my Polynesian cousins, the Maoris of New Zealand would say, "Kia ora."

Tinei mauriora! Tena koutou, tena koutou, tena koutou katoa. Te whare e tu nei, temarae e takoto nei, tena korua. Nga hau e wha, nga iwi e tau nei, tena koutou katoa. The breath of life! Greetings, greetings, greetings! To

the House, to the land, greetings to you both. People of the four winds, people gathered here, greetings to all of you.

#### UNITED STATES OCCUPATION OF HAITI

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Florida [Mr. GOSS] is recognized during morning business for 5 minutes.

Mr. GOSS. Mr. Speaker, today is day 191 of the United States occupation of Haiti. The United States occupation of Haiti is scheduled to end in 3 days. The invasion will be over.

What will we be leaving behind in Haiti besides one billion United States taxpayers' dollars? Are we leaving a stable and secure government? I think not. Unfortunately, the evidence is in, and we are leaving a mess. We are leaving 2,500 of our troops there to do some peacekeeping with some other troops from some other countries in a situation that is far from optimistic.

There is a requirement that Congress has put on the White House for regular reporting about what is going on, and I asked for that report as we neared the end of this occupation time.

The White House tells us that things are fine in Haiti. Quoting from a letter from President Clinton to the Speaker, dated the 21st of March, it says: "Overall, Haiti has remained calm and relatively incident-free since the deployment of United States and MF forces. The level of political violence has decreased substantially since the departure of the de facto government," et cetera, et cetera.

I think it is time that the folks in the White House started reading the newspaper. Things are not quite that way.

I go back to a New York Times article that came out just as recently as this Sunday, and I say, quoting, "Only a week before the responsibility for maintaining security here is to shift from the United States to the United Nations, the Haitian government is struggling to contain a sudden surge in crime and street violence. Frustration over the crime wave, which has included slaying of political figures as well as robberies and break-ins, has led to a series of vigilante attacks against suspected lawbreakers," et cetera, et cetera.

Reading on from the same New York Times article last week, that was a week ago, after a series of daring daylight holdups and car thefts, the capital was hit by spasms of vigilante violence. Over 2 days, 21 suspected thieves were beaten, stoned or hacked to death by enraged groups, mainly residents of working class neighborhoods.

This seems to belie the statement that calm has returned to Haiti. This seems to belie the statement that we now have a secure and stable environment, as the United Nations asserts. I guess it is all right for them to assert it since we are maintaining the maxi-

mum exposure, we as the Americans, and our forces down there.

I think that the media is breaking down the misrepresentations that are coming out of the administration on why we are in Haiti and what we are about there. What is important for Haiti is that we do establish democracy and we try to help it in an intelligent way.

The implications for our upcoming elections, given this wave of violence and the breakdown that is going on there, are not good. Candidates have been killed.

We have got elections for parliament in June. We need a parliament in Haiti. We do not have one; and, in fact, we have a de facto dictatorship. We have no justice system and no parliament, so we have a de facto dictatorship.

And where people are being discouraged, they are not only being discouraged, they are being assassinated if they run for office. That is pretty strong discouragement.

The implications for business, we have had 20,000 of our combat troops down there. If we cannot get prosperity, security, and create an investment climate with that kind of stability, what is going to happen when those troops leave in 3 days?

So, clearly, we are not doing well in the area of encouraging investor, and unfortunately the facts show that very well also.

The implications for security are not so good, either. President Aristide, quoting him from another newspaper report, said, "Mr. Aristide was particularly critical of the remaining Haitian police and judicial authorities, whom he described as, 'cowardly and derelict in their duties'."

When the President of your country gets up there and says you cannot count on your police, that does not contribute to calm. When he goes further than that and says, "Look, folks, you better be prepared to take care of yourselves and the workers down in the slum part of Port-au-Prince, down in Cite Soleil, are encouraged to go out and take care of themselves, that means they are down there sharpening their machetes."

And indeed we do have exactly that report, that the people in Cite Soleil are back, going back to protect their homes, are sharpening up their machetes and are preparing for even more violence. This is not a stable and secure environment by any stretch of the imagination.

We do not have a parliament. We are pulling out American troops. We do not have a government that has got any confidence in its police force for stability. The justice system is breaking down.

They found that when they went to one prison out of something like 527 inmates only 15 of them had actually been convicted. So they turned loose 200 people who are actually people who should have been brought to justice but the system had broken down. And then

the decent folk in Haiti were enraged that they were turning criminals loose on the streets. That is another system that has broken down.

It is critical in a democracy to have the three branches of government working, and in Haiti not any of the branches of Government are working. Rather than delude ourselves and declare victory, let us look at the real situation and get a foreign policy that is comprehensive, works and does build democracy in Haiti and stop kidding ourselves with these false reports from the White House.

#### THE CONTRACT IS HURTING AMERICANS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentlewoman from Oregon [Ms. FURSE] is recognized during morning business for 2 minutes.

Ms. FURSE. Mr. Speaker, it is day 83 of the Republican contract. And every day a Republican has come down on this floor and told us what part of the contract they passed. But what they have not told us is what it did to us. So I am here to tell you who got hurt in the contract and who didn't. Who are the winners. Who are the losers.

Well, kids got hurt. Changes in the School Lunch Program made it harder for them to learn.

Single parents got hurt. Child care was cut. Now working families, maybe just a single mom or a single dad at home, they won't have somebody to look after their kids when they are out working.

And then pregnant women, they got hurt. At a time when good nutrition is essential, we cut the WIC Program. Children will suffer, and the taxpayer will suffer because they will be paying for those expensive low-birth-weight babies.

Seniors got hurt. Housing assistance, heating assistance, those programs got cut in the contract.

Students got hurt. If they were hoping to go to college, they will find fewer student loans to help them.

And the disabled, they got hurt. Fewer will receive assistance, and many parents with disabled children will have their stipend eliminated. Consumers got hurt. Their ability to redress wrongs has been reduced. All poor people got hurt, and most middle-income people got hurt.

The Coast Guard got hurt. That means less safety for boaters and fishers, less drug interdiction. And, of course, the environment, that got hurt. Clean air and water safety, that has been cut. Fish and wildlife programs cut.

And veterans, they got hurt. Their medical benefits and housing assistance has been cut.

The taxpayers got hurt.

And, most of all, America got hurt.

Well, now I want to tell you about who did not get hurt. Who were the winners under the contract?

Well, the very wealthy, they did fine. There are tax breaks coming their way.

The Pentagon did fine, no cuts, not even the \$1 cut I asked or the \$8 billion cut I asked.

Corporations didn't get hurt. They did fine.

Polluters did fine.

I suggest to my Republican colleagues when they go back for the Easter break that they realize that they represent all Americans, not just the wealthy, the polluters, and the corporations.

#### CAPTIVITY IN IRAQ OF DAVID DALIBERTI

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Florida [Mr. STEARNS] is recognized during morning business for 5 minutes.

Mr. STEARNS. Mr. Speaker, I rise today to protest the treatment of David Daliberti and his fellow American, William Barloon, by the nation of Iraq. After accidentally straying across the Iraqi border, these two men were tried in a questionable court and sentenced to a prison term that lends new meaning to the phrase "cruel and unusual punishment."

Mr. Daliberti and Mr. Barloon are private United States citizens employed by an American company doing business in Kuwait. On their way to visit friends with the U.N. peacekeeping force patrolling the border, they were misdirected by the U.N. Iraq-Kuwait observer mission and found themselves in Iraqi territory. As even their Iraqi court-appointed attorney said at their trial, they were carrying no weapons, no cameras, no maps, no compasses—nothing that could indicate these men were anything other than innocent victims of an unintentional mistake. And, according to the Polish diplomat who attended the trial on behalf of the United States, even the judge in the case was sympathetic to their plight. Nevertheless, Iraqi law is Iraqi law and the men were sentenced to 8 years.

Mr. Speaker, I don't want to see these men used as political pawns. If the statement yesterday by the Iraqi Parliament leader is truthful, it is a good sign when he said, and I quote, "we don't think that we are going to facilitate the question of the sanctions through detaining these two Americans."

As Mr. Daliberti and Mr. Barloon languish in an Iraqi prison, I urge the White House, State Department and foreign diplomats working on our behalf to spare no effort in securing their release at the earliest possible date. I also recommend that the Clinton administration dispatch a high-level delegation to Iraq to negotiate for the release of these men. And although I am fully aware that we have no diplomatic relations with Iraq, I call upon the Iraqi authorities to do the right and

humane thing and release these American citizens today.

The trial of these two men was wrong, their sentence was unfair, and their release is imperative. The wives and families of these men, especially Kathy Daliberti with whom I've already spoken to express my support—are counting on their Government to employ whatever means necessary to bring them safely home.

#### TERM LIMITS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentlewoman from Ohio [Ms. KAPTUR] is recognized during morning business for 2 minutes.

Ms. KAPTUR. Mr. Speaker, I would ask today whether you would like to fly with an experienced pilot or an inexperienced pilot? Or would you like to go to an experienced dentist or an inexperienced dentist?

Today, I rise in opposition to all the proposals that will be debated here for term limits on Members of this body as a direct undermining of our Constitution. There are many days here when I know I am the only voice the people in my district have here in the Congress of the United States, and I know that I am better, I am smarter, I am more experienced than I was when first elected.

I think it is important to say for the record that the problem of politics in Washington isn't the number of years that people are elected. It is the amount of money that is being put into campaigns, trying to influence people's views when they get elected here.

Campaign financing reform is not in the contract. It is one of the important missing elements in the contract. It does not matter if you serve here for 6 years or 60 years. If we do not limit and control the money that is controlling this political process, term limits won't matter.

For you say in whose interest is it to have term limits? In whose interest is it to have juvenile representation here, to have constant upheaval where Members do not even know one another on the floor?

There has been a two-thirds change in this Chamber just in the last 6 years. In whose interest is it to have this place in constant upheaval?

We have had turnover. People have been thrown out of office. But, for one, I do not want to give up JOHN GLENN in the Senate. Who knows more about the defense of this Nation? Or RALPH REGULA of Ohio on trade or SAM NUNN and JACK MURTHA on defense?

Or even though I do not agree with these gentleman, JOHN CHAFEE in the Senate and BILL ARCHER in this House on tax and budget policy? Or PAT LEAHY on agriculture or NICKY RAHALL on mining or ALAN SIMPSON with that acrid sense of humor that sometimes keeps us in balance here or OLYMPIA SNOWE in the Senate or LEE HAMILTON or DALE BUMPERS or RON DELLUMS or

RICHARD LUGAR on foreign policy or JERRY SOLOMON on veterans?

I, for one, do not want to undermine the Constitution. I, for one, want a blend of experience and people who cannot be bought in this Chamber.

I do not support term limits. It undermines the Constitution, and we ought to stand up for what is right for the American people and once and for all put a limit on campaign spending.

#### CONTRACT WITH AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized during morning business for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, as we are drawing near to this 100-day closure, I think it is very important to talk about what we have done and look at this.

I think for children what we have done has been absolutely outrageous. It is like we tied them to the tracks, the railroad tracks, and let the contract roll over them like it was a huge, huge freight train.

Why do I say they were tied to the tracks? Well, first of all, we did things that were not quite as serious, I suppose, but the taking away of things or the cutting of the wings of Big Bird and some of the only decent programming on television, cutting of nutrition programs all across the board, the absolute zeroing out of summer jobs for adolescents in the city, strangling the National Service Program which was a way many young people got their college education. We absolutely almost zeroed that out totally, attacking math and science programs in the public schools when heaven only knows we need that, taking on student loans, one of the main ways that young people today are able to get their college education.

Yes, all of those things have been put on the table, and all of those things have been chopped during this first 100 days. And why? Why? To create this great crown jewel of the contract, tax cuts, tax cuts for the special interests that sent people here. It is tax cuts for the rich, and the kids pay the bill.

And I think there is something terribly wrong with that math, and so I am not happy about this first 100 days.

But there is another part of this first 100 days that I think is very troubling. For everyone else in the contract, this contract went rolling along like mad, but when it came to the politicians' interests, the contract comes to a screeching halt.

Watch it come to a screeching halt today on term limits. You are going to find that is the one area of the contract they are going to decide to amend or play with or whatever.

Now I do not happen to be for term limits. I believe the Constitution and this great Republic have lived over 200 years without this and so I do not

think it needs to be there. But many people played on the cynicism that was out there and said this was important.

And yet we are seeing cynicism piled up at the door of this body every single day. We are seeing admissions in Time magazine that they are letting special interests into Members' offices to write the legislation and to write amendments.

Never seen that before. Absolutely rotten, I think. And that may be why kids were on the line. They do not have anybody giving big money that could get into Members' offices and write this legislation.

We saw the gift ban turned down. On the very, very first day of this body, the gift ban got turned down. Nobody wanted to stop the gifts. Well, I did, and I think that is an important reform that we needed.

We have seen nothing moving on campaign finance reform that the gentlewoman from Ohio was talking about that is so important. And we have seen the Committee on Standards of Official Conduct play all sorts of games with the rules. They have changed the rules. And we see ethics violations that are allegedly being piled up at the door, and nothing happening.

So it is very interesting. For everyone else, you are going to get your crown jewel. Special interests, you are getting to write the legislation. The kids are going to pay the bill. And for politicians things aren't going to change.

I do not think that is what the American people had in mind when they started into this whole contract. But I certainly hope they look at this and look at it very carefully.

Because I think if we are going to see more of this after this 100 days, we are in deep trouble in this country as we are breaking all sorts of commitments we shouldn't be breaking to the only hope we have for the next century and that is our children, that is our young people, and to treat them this way and this rashly in the name of paying back the folks who paid the campaign winners' bills in the last election is positively wrong morally and every other way.

#### TERM LIMITS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Florida [Mr. MCCOLLUM] is recognized during morning business for 5 minutes.

Mr. MCCOLLUM. I have heard quite a bit of discussion our here today about all the pain that is going on. I have not seen much of it, quite frankly, in the first 100 days except the difficulty of spending the hours that it takes for us to write those programs into law, at least get them passed through the House and sent on to the Senate that we promised as Republicans in the campaign to do.

As you know, I am sure my colleagues do, nothing that we have sug-

gested is all that dramatic a departure except that we are sending things back to the States where I think, and most of us on this side think, that there is much greater wisdom about how to do those things than there is here in Washington, especially things like crime fighting, which is primarily local, and welfare which can be best handled by those back home who know how to do it.

But the money and the resources are going back there. Nobody is going to be destitute because of what we are doing, a lot of hand wringing going on about what we have not gotten to. Well, gosh, we have done more in the first 100 days than any Congress in 50, 60, 70 years has, maybe in the history of this country.

But I come to the point of what we are going to discuss today and tomorrow as the legislative agenda, and that is term limits.

Some on the other side of the aisle, including a couple of the speakers this morning, have alluded to the idea somehow we are not going to be able to fulfill this part of the contract. I do not know if we are going to get to 290 votes, but I know if about 50 percent of the Democrats would help us, we would get there.

We have 85 percent or better of the Republicans who are going to vote for term limits out here, hopefully vote for final passage. I believe they will on whatever version. But in order to succeed it takes two-thirds of the Congress.

We have only 230 Republicans. And quite a number, 30 or more, out of conviction really genuinely do not believe in term limits, are going to vote no.

We need to get a balance on the other side. Fifty percent is at least what it is in the populous out there. Because with nearly 80 percent of the American public supporting term limits, we know that is evenly divided between Democrats and Republicans in the general public, but it has not been in this House.

And maybe that is a reflection of why this is the first time in history we have had a term limits debate out here. The Democrats have controlled the U.S. House of Representatives for 40 consecutive years, and only with a lot of pressure in the last Congress did they even hold hearings in committee, let alone consider bringing a bill to the floor of the House for debate that would provide a constitutional amendment to limit the terms of House and Senate Members.

It is time to make this change. It is time to do it deliberately. And let's think about why for a minute.

First of all, if we look back in history, the Founding Fathers of this country could not have envisioned when they wrote the Constitution the kind of full-time Congress we have today or the career orientation that Members have developed.

If you think about it, Congressmen in the early days, in fact for the first 100-

plus years of our country, only served 1 or 2 months a year up here in Washington. And they went back home and did their businesses and did the ordinary things they do in the community. And, very frequently, they only served one or two terms. It was a rare exception for them to serve longer.

Then beginning about the middle of this century, moving on until now, Congress became a full-time, year-around job, partly because the size and scope of the Federal Government became exceptionally big.

□ 1300

While I would like to reduce it, we are not going to immediately reduce it. The truth of the matter is, when that occurred there became a different breed of attitude in Congressmen here in the sense that men and women could not do the jobs back home. They basically had to give them up.

Today, there are actually laws in the books that prohibit certain occupations like attorneys and accountants from practicing their professions, and most Members of Congress today have no outside earnings outside of those investments that a few may have.

Mr. Speaker, today we have a career-oriented Congress, Congressmen who come here thinking that they have to give up a job. And many of them, for security reasons or otherwise, are looking to stay here for longer periods of time.

That has been the pattern with committee chairmen, requiring you to be in service for 12, 15 years to be one, and sometimes committee chairmen serving for 15 or 20 years. That is wrong, and it has led to rather poor decision-making.

Members seeking to make a career out of this place tend to want to please every interest group to get reelected, not to get campaign funds but to please the groups to get votes, to please the groups that are basic to them, whatever group that may be, however small it is. The idea being if you do not displease anybody then you are going to get them to vote for you next time since they are the ones that are the squeaky wheels paying attention.

Consequently, that is why we have so much trouble balancing the budget and getting some common sense in government around here.

Mr. Speaker, it seems to me only logical then that the way we can reform and the only way we can truly reform permanently Congress is to change the Constitution to make things balanced again, much like the Founding Fathers had originally thought it should be.

The best way, the only way to do that is to set term limits. I propose a 12-year limit on the House and Senate. My version of the term limit amendment that will be out here as the base bill for a vote tomorrow is one which says that we serve 12 in the House and 12 in the Senate as a permanent deal.

There is no retroactivity. There is no preemption of the States. Whatever the

Supreme Court decides in the pending cases and the Arkansas case before it will be the law of the land. If they decide against the States, then the 12-year limit will be uniform. If they decide for the States, there will be somewhat of a hodgepodge potentially out there.

Mr. Speaker, the bottom line is I think that a difference between the House and Senate terms, say 6 for the House and 12 for the Senate, would make the House an inferior body to the Senate. It would make it weaker. That does not make sense to me.

I would urge my colleagues to vote for term limits and vote for the 12-year version.

#### DISAPPOINTMENT WITH WELFARE BILL

The SPEAKER pro tempore (Mr. LONGLEY). Under the Speaker's announced policy of January 4, 1995, the gentlewoman from California [Ms. WOOLSEY] is recognized during morning business for 3 minutes.

Ms. WOOLSEY. Mr. Speaker, as the only Member of Congress who has been a single, working mother on welfare, I am very disappointed by the welfare plan that House Republicans approved last week.

I am disappointed because we had a real opportunity to fix our broken welfare system, and instead, House Republicans approved a plan that guts the system and shreds the safety net for 15 million children. The same safety net that enabled my family to get back on our feet 27 years ago.

As someone who came to Congress to improve the lives of our children and families, defending them from attacks by House Republicans is not the way I intended to spend my time.

Poor women and their children did not sign on the dotted line of the contract on America, but they are certainly in line to suffer its disastrous consequences.

The bill does nothing, absolutely nothing, to prepare welfare recipients for jobs that pay a livable wage.

There is no job training. There is no education. And while the Republicans have put some money toward child care, following intense pressure from the Democrats, there is still not nearly enough.

And, their bill literally takes food out of the mouths of our kids.

In my district alone, Marin and Sonoma Counties in California, almost 7,000 school children will be denied a school meal.

I have only one thing to say about their plan to wreck child nutrition programs:

"States don't get hungry, children do."

And, starving our children is not the solution to the welfare mess.

I am also disappointed that Chairman HENRY HYDE and I were not given the opportunity to offer our amendment to federalize child support collec-

tion. We believe that federalization is the best way to collect outstanding child support, and we will continue our bipartisan effort to make sure children receive the support they are owed.

Mr. Speaker, the choice comes down to this: We either punish families because they are poor, or, as was the case with my family, we invest in them so they can get off welfare permanently.

As this bill moves to the Senate, it is essential that harsh and punitive measures in the House welfare bill be removed. We can get families off welfare without punishing women and children. We can produce a welfare bill that is worthy of widespread bipartisan support.

#### PATENT PROBLEMS WITH GATT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from California [Mr. ROHRABACHER] is recognized during morning business for 5 minutes.

Mr. ROHRABACHER. Mr. Speaker, today I would like to draw public attention to a great miscarriage of justice that will happen to American citizens starting June 8 unless the Congress acts now.

Most people do not understand the importance of patent rights for the American people, but let me be concise and just say that as we are entering this information age and this new era of technology unless we guarantee the protection for the creativity and genius of the American people and for the investment of American investors in new technology, America will fall behind.

Mr. Speaker, in the past, America has always led the way economically because we protected people's property rights, including their intellectual property rights. In fact, most people do not know the U.S. Constitution includes a strong provision about patent rights. So from the very beginning our Founding Fathers, like Thomas Jefferson and Benjamin Franklin, who were themselves innovators and technicians, ensured that our country would place a great deal of value on the protection of new inventions and intellectual property rights.

In fact, for 150 years the tradition has been that American citizens would have 17 years of protection in which they would own any new technology that they invented. Well, that is what has happened for 150 years.

Unfortunately, last year during the GATT process, during our negotiations with other powerful interests around the world, a provision was snuck into the GATT implementation legislation that was not mandated by the GATT treaty itself. Let me repeat that. Something was put into the legislation for the GATT which is about an international trade agreement that was not required by what we had agreed to with those other trading partners to be in the GATT legislation.

What that provision was, was something that reduced the number of years of patent protection for American citizens. Today, we have 17 years of protection, as we have had for 150 years. If one files a patent, no matter how long it takes that person to be issued a patent, that means when a patent is finally issued the investors will have 17 years to recoup.

The change that was snuck into GATT says that once someone files for a patent the clock starts ticking, and he only has 20 years. No matter how long it takes for that patent to be issued, after 20 years that person no longer owns that technology.

Mr. Speaker, do you know what that means? That means that our most innovative Americans who created new technologies will see that their patent rights are reduced dramatically, the people producing new technology.

What was snuck into the GATT language over my strenuous objection and many others was this law that will mean billions of dollars that would be coming to Americans who invent new technologies now will stay in the corporate bank accounts of multinational corporations and Japanese corporations. Billions and billions of dollars that used to come to Americans are now being kept overseas. Our people were betrayed. Their rights were reduced.

Now, if you ask our Patent Office why that happened, why did they sneak that in there, why did they keep Congressman like myself in the dark until 10 days before GATT was actually put before this body and wouldn't tell us what was in there concerning patent rights? Well, we have got to do something to correct the patent system because they have something called the submarine patent in which some patent holders, some people who have applied for patents, maneuver through the system and actually have a longer period than the 17 years of protection because they manage to have the patent not issued.

The submarine patent problem can be corrected administratively and should have been. It is like a hangnail on your toe. An infected tow with a hangnail feels really bad, but the last thing you want to do when you have a hangnail is to cut your foot off.

Instead of correcting the hangnail problem, what our leaders have done is use a hangnail as an excuse to cut the feet off of the American investor. When that happens, we are not going to be moving forward. We are not going to be able to compete because we are not going to be able to outrun the foreign competition. Mr. Speaker, what will happen when this change takes effect is that American inventors will lose control of their technology after a few short years.

I am asking my Members and my colleagues, my friends here in the house, to join me in sponsoring H.R. 359 which will restore to the American people a guaranteed 17 years of protection. We

can then move forward to correct some of the problems at the Patent Office. We can do so administratively and without costing the American people billions of dollars.

Let us protect American intellectual property rights and join me on H.R. 359.

#### POTENTIAL CUT IN STUDENT LOANS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from West Virginia [Mr. WISE] is recognized during morning business for 5 minutes.

Mr. WISE. Mr. Speaker, my message today goes out to college students, their parents, educators across our country and across the State of West Virginia.

Last month, we had to fight the battle of school lunches and, incredibly enough, unbelievably, there was actually a proposal and it passed on the floor of the House to eliminate the school lunch as we know it. And this involved parents and educators and school children across our country.

This month, I am warning people in advance. You had better be fighting for your student loan, your guaranteed student loans that keeps you in college, the one that the Federal Government helps subsidize your education knowing that that small amount of subsidy is going to be repaid time after time and time again in increased earnings and increased tax revenues. Because, yes, incredibly enough, under the Contract With America this, too, is at risk.

Last month, the school lunch; this month, the school loan.

So we are going to see probably the school loans cut. Because why would the student loans be cut? They would be cut for a tax cut. They call it a middle income tax cut.

And if you earn over \$100,000 a year, yes, it is a tax cut for you. If you are below \$30,000 a year, you are going to see almost nothing. If you are below \$13,000 a year, you are going to see nothing at all.

So what we are going to see is that middle-income people are going to see their student loans cut so that the upper incomes can have their taxes cut. It does not sound like a good deal to me.

So when those students this month take their final exams, be careful. They could be more final than you think. When school lets out this summer, let us hope that they are not letting out for good.

So I am calling on students across our State and across the country to mobilize, to say, "No. Enough is enough. This is a growth. Those loans are growth. They are not simply deficit spending."

The changes that have been proposed and talked about could cost as much as \$20 billion over 5 years. The most important one is the interest subsidy that

goes to children below a certain income level by which while they are in college the Federal Government pays their interest rate. Once they are out of college, then they are responsible for repaying that rate. It is estimated that eliminating that subsidy could cost students anywhere from 20 to 50 percent more on the cost of their loans.

Now, like a lot of people in this country, I worked my way through school. I had to work my way through college, and I had to work at the same time. If you saddled me at the time with an 8 or 9 percent interest rate, I could not have made it; and a lot of others I think are in my situation as well. So this is penny wise and pound foolish.

Many of our veterans remember that the single greatest economic accelerator was following World War II when this country put money into the GI Bill of Rights and sent millions to college. What we saw was an explosion of technology, of growth, of development, particularly in our economy, and so this would be.

What the Contract With America puts at risk is the Stafford loan program, the work study program, supplemental education opportunity grants, the Perkins loan program; all on the chopping block.

The impact on West Virginia would be severe. Thirty-five thousand students alone in our State have these subsidized loans by which the Federal Government is assisting to pay the interest while they are in college. That calculates to about \$11 million annually in interest. Yet that \$11 million could jeopardize the college careers and future careers of many of our West Virginia students.

Already, West Virginia colleges are well aware of the impact if these kinds of cuts should pass this Congress. As I had one college president tell me, "It is going to make the difference in our college as to whether many of our students can attend or whether they are not going to be able to attend."

Mr. Speaker, are we really going to cut the future off for many of our students like this? Middle-income parents, middle-income students need to be aware of what is out there, need to be aware that they have to mobilize and the time is short.

Because when this tax cut package hits the floor next week, and I presume it is going to pass and get muscled through like everything else has been muscled through the last 100 days, when this tax cut package passes, they are not going to tell you what the cuts are. But the cuts come right after that, and those cuts are going to involve student loans as sure as I am sitting here.

Nobody would believe that they would go after student lunches. They did. Now they are going after student loans. It is time to mobilize. Time to make ourselves heard. It is time to let the word go out: We want the country to grow.

One of the single greatest accelerators and one of the single greatest

growth initiatives for my State of West Virginia as well as the Nation has been the student loan program. We want more students in higher education, not less. We want more students about to contribute to the economy, not less.

Mr. Speaker, what most middle-income people say they would like more than a tax cut that basically goes to the upper-income people, they want deficit reduction, yes, but, more importantly, they want the chance for their students, their young people, their children, to improve and to have a chance and a start in this life.

#### RESPONSIBILITY ON TERM LIMITS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Ohio [Mr. HOKE] is recognized during morning business for 5 minutes.

Mr. HOKE. Mr. Speaker, this time this week we are going to consider for the very first time ever term limits in the House of Representatives. I just wanted to take the opportunity to talk about that for a couple of minutes this morning. Because one of the things that we are going to find out this week is exactly where every single Member of this House stands with respect to term limits.

What we found out already is that the country as a whole is certainly in favor of the, 75, 80 percent. We now have term limits enacted in 21 States across the United States. We have term limits with something like 35 governors. Obviously, the President of the United States is term-limited to two 4-year terms.

The question is going to be before this House, will we have the guts, will we have the courage, will we, frankly, have the representative responsibility to go along with what the people of the United States want?

You are going to hear all kinds of crazy arguments in opposition to term limits. The one that I like the best, the one that I think is the least credible is the one that says—

This is a tough job that requires a great deal of technical skill, and it takes a long time to get it. It wasn't true maybe 100 years ago or 150 years ago, but now it is true because government is really very, very complex, and it is very, very difficult to understand all of it. And so the longer that you are here the better that you get to know it.

What I would say to that is that, frankly, to the extent that that is true and maybe in some aspects it is true, to whatever extent that is true, it means the Government is too big. It means that Government has gone out of control, and it has become too complex.

What you need in a Representative are some fairly fundamental character traits. You have to understand that, first of all, there is a balance between leadership on the one hand and representation on the other hand.

What does it take to be a good Representative in this Congress? It seems to me that it is pretty simple. What it

takes is listening, the ability to listen, the ability to not talk, to shut up and to listen to what constituents say. What is it exactly that they want to have represented in the U.S. Congress? What concerns them? What is on their minds? What is on their hearts? What is it that they want to have amplified for them right here on the floor of this House?

You have to balance that ability to represent by listening with leadership. What is it that we want in leaders? What is it that we are looking for? What qualities do we want for leaders and what is it that is important for leadership?

I would say to you there are a number of things. There are a number of qualities. But certainly it is not a big mystery as to what you put together: good judgment, common sense, compassion, patriotism, a commitment to the future, a commitment to where we are going in this country, caring about our children.

But I think that, fundamentally, common sense has got to be way out in front on this issue. Because without common sense, without a basic understanding of what makes the world go round, we will never, we will never be able to accomplish anything of lasting value in this House.

Let us look back at some of the most famous Members of the House. Henry Clay. What did he bring to the party? First of all, he was here seven times. He served seven terms in the House and not one time did he run as an incumbent. Can you imagine that?

Right now, the statistics are that if you are running as an incumbent in November for the House of Representatives, chances are 9 out of 10 that you are going to get elected. They are actually greater than that. It is about 93 percent.

The system is completely rigged from franked mail to campaign financing. All the way from soup to nuts it is rigged by us Members that are here right now to make it easier for incumbents to get reelected.

Mr. Speaker, what you can see is that year after year after year, notwithstanding the elections in 1992 and 1994, if once you get to the general election if you are facing an incumbent, the incumbent wins 9 times out of 10.

If you look at the statistics on committee chairmen, which is a really scary one, and I use the word "chairmen" specifically because in the 103d Congress no women were committee chairs in the Democrat 103d Congress, the average tenure of each of the Chairs was 28 years. Twenty-eight years.

Is there any wonder that we have brought more legislation in the first 85 days of this Congress to the floor of the House than had brought up in the entire last Congress? Well, the reason for that is that this legislation had all been bottled up by committee chairs that had been chairmen on an average

of 28 years. It is going to be an interesting debate, Mr. Speaker.

Mr. Speaker, I urge all of my colleagues to support all of the term limits bills that are going to be on this floor. We have got to limit terms here.

#### CUTS IN ASSISTANCE PROGRAMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Missouri [Mr. VOLKMER] is recognized during morning business for 5 minutes.

Mr. VOLKMER. Mr. Speaker, last week was a very sad week for the children of America, for the needy of America, for the elderly and the poor of America. Because last week the Republican majority did something that is very destructive to the elderly, to the needy, and to children.

What did they do that was so radical that will injure these people? Well, they cut \$66 billion out of programs for those people. They stand on this floor and they stand over here or at that microphone over there and repeatedly say, no, they are sending more money out for school lunches, for food stamps, for AFDC. They are sending more out. And yet CBO, their own people, admit they have cut \$66 billion, not million, billion dollars out of those programs.

What does it mean? Well, to my people back in Missouri, back in the Ninth District of Missouri I have had breakfast with some of the children that have reduced prices or free because they cannot afford to pay. I have had lunches with school children the same way in my district. I know of elderly who rely on food stamps, especially in the wintertime in order to eat because of the high winter rate for heating their homes and the fact that they have to live on \$250 or \$300 or \$350 a month in Social Security checks or SSI.

Those people know. I talked to them. They know what is coming down the pike. They know when the Senate passes that bill that they are in for a hardship unless our President, and I understand from the Chief of Staff of the White House that when this bill reaches his desk the President would probably veto it.

I say amen, amen. For shame that the majority party, for shame, would do this to the people of this country. At the same time, they are talking about giving more foreign aid, big foreign aid to other countries to help other people. That is a disgrace. That is a disgrace to the people of this country.

Mr. Speaker, it just shows you how they do things here in this new majority. They have the votes, so they are going to run right over anybody that gets in their way. That is what they have been doing.

It is an abuse of power. That is what it is, a gross abuse of power.

Who is running the show? Right from the leadership on down, they have got



big bosses telling them what to do. A lot of their legislation is drafted by the special interests right here in Washington, DC. They do not even draft it. Lobbyists do it, because the lobbyists want the money.

Where is that money going to go, folks? You know where that money is going to go that is coming out of the mouths of children in my district in Missouri, that is going to be taken away from the elderly with heating assistance in my district in Missouri? I have got thousands of people that would be injured by this.

Where is the money going to go? It is not going to go to reduce the deficit. No, they rejected that. Overwhelmingly, they rejected it. Of all the thousands of people taken away from that need it in my district, I have got about 1,500 very wealthy people in my district that are going to get the benefit from the tax bill that they are going to take up.

And they are going to pass it next week, folks. They are going to give people at \$200,000 in income, if they are married and they have four children, they are going to give them \$2,000 for their children. \$2,000 for their children.

Who are they taking away from? They are taking away from kids in my district whose parents are making 10 and 12 and \$14,000. They say that those kids do not need it. They say that the person who makes \$200,000, their children need it. Ladies and gentlemen, that to me is gross hypocrisy.

They say again, no cuts in these programs. Well, if there are no cuts, folks, again I say to you, where does the \$66 billion that is going to go to the wealthy, where does it come from? It does not come from trees. It does not come from the sky. It is coming out of those poor people of median income, hard-working people in my district. That is where it is coming from.

#### PROBLEMS IN THE WELFARE SYSTEM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from California [Mr. BILBRAY] is recognized during morning business for 5 minutes.

Mr. BILBRAY. Mr. Speaker, last week and again this morning, I happened to witness discussions about a system that we call the welfare system.

Now, Mr. Speaker, I grew up in a neighborhood and I had friends and where we were was a working class neighborhood, but many of my friends and their families were on welfare. I also happened to have served for 10 years as a county supervisor in the county of San Diego which has a welfare system larger than 32 States of this Union.

Let me tell you as somebody who grew up in the neighborhood and had to run the system, anybody who can face off with the American public and honestly say what we have called the welfare system for the last 30 or 40 years is

somehow a great contribution to our country obviously ignores the atrocities that have been done under this so-called welfare system.

The system that we call welfare is nothing short of subsidized misery. In fact, if you or I would treat our children in the manner that welfare treats children, it would not only be immoral, it would be illegal.

Mr. Speaker, I will give you one example. If I gave my teenage daughter a check and told her to go live by herself in her own apartment, I would not only be abandoning my child, I would be actually committing child abuse by definition in the State of California and most States in this Union. I, as a parent, am not allowed to take a minor child and send him or her off to live by themselves. But, Mr. Speaker, that is what our welfare system has done for over 40 years.

It is time that we rethink our well-intentioned but misguided concept here, that we have actually taken children and sent them off on their own under the guise that we have committed some great privilege and helped this individual.

We have actually punished people who have tried to work their way out of welfare for decades in this country. If you were on welfare and you got a part-time job, what did Uncle Sam say to you? They said, "For every dollar you earn in part-time, we will take a dollar away from you in benefits." Then we wonder why people do not work their way out of welfare.

Mr. Speaker, I just would like to point out that the best welfare in society is a job, and we will work on that. I come from the county that started workfare in 1978, and it was called cruel. It was called heartless. It was called right wing radicalism. But as somebody who grew up in the neighborhood and operated the system, it was the most humane proposal we ever had, and it is time we bring dignity back.

Mr. Speaker, I will tell you as somebody who administered the programs, you take off the Federal strings, you stop telling us how to run the system, and the people at the State and local level will provide the services that the so-called people who claim to be liberals always say ought to be provided.

We are going to give free lunches to our children. We are just not going to give it to the Federal bureaucrats.

#### RECESS

The SPEAKER pro tempore. There being no further requests for morning business, pursuant to clause 12, rule I, the House will stand in recess until 2 p.m.

Accordingly (at 1 o'clock and 28 minutes a.m.) the House stood in recess until 2 p.m.

□ 1400

#### AFTER RECESS

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

#### PRAYER

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

Encourage each person, O loving God, to examine the issues that they encounter and on which they must act, and to have discernment as they face the decisions of the time. Help us to be forthright in our desire for knowledge realizing that the gift of truth is not to be scorned, but with virtuous hearts and sincere minds we should seek to understand the issues of life and endeavor, in all things, to remember the words of the Proverbs that "the fear of the Lord is the beginning of wisdom, and the knowledge of the Holy One is insight." Amen.

#### THE JOURNAL

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

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

#### PLEDGE OF ALLEGIANCE

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

Mr. TRAFICANT led the Pledge of Allegiance as follows:

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

#### SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 831. An act to amend the Internal Revenue Code of 1986 to permanently extend the deduction for the health insurance costs of self-employed individuals, to repeal the provision permitting nonrecognition of gain on sales and exchanges effectuating policies of the Federal Communications Commission, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:



S. 4. An act to grant the power to the President to reduce budget authority.

#### APPOINTMENT OF MEMBERS OF THE HOUSE COMMISSION ON CONGRESSIONAL MAILING STANDARDS

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 5(b) of Public Law 93-191, the Chair announces the Speaker's appointment as members of the House Commission on Congressional Mailing Standards the following Members of the House:

Mr. THOMAS of California, Chairman; and Messrs. ROBERTS of Kansas; NEY of Ohio; FAZIO of California; CLAY of Missouri; and GORDON of Tennessee.

There was no objection.

#### REPUBLICAN CONTRACT WITH AMERICA

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

Mr. WELLER. Mr. Speaker, our Contract With America states the following:

On the first day of Congress, a Republican House will require Congress to live under the same laws as everyone else; cut committee staffs by one-third; and cut the congressional budget.

We kept our promise.

It continues that in the first 100 days, we will vote on the following items: A balanced budget amendment—we kept our promise; unfunded mandates legislation—we kept our promise; line-item veto—we kept our promise; a new crime package to stop violent criminals—we kept our promise; national security restoration to protect our freedoms—we kept our promise; Government regulatory reform—we kept our promise; commonsense legal reform to end frivolous lawsuits—we kept our promise; welfare reform to encourage work, not dependence—we kept our promise; congressional term limits to make Congress a citizen legislature—we are starting this today; family reinforcement to protect our children; tax cuts for middle-income families; and Senior Citizens' Equity Act to allow our seniors to work without Government penalty.

This is our Contract With America.

#### CONSTITUTION AND BILL OF RIGHTS DOES NOT APPLY TO IRS

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

Mr. TRAFICANT. Mr. Speaker, the brass of the Internal Revenue Service has now testified they oppose changing the burden of proof in a tax case for civil matters. They say it would tie their hands by extending the same rights under the Constitution given to any other court proceeding. They would actually have to show evidence

and cause, and it would make it difficult for them to collect money.

Let us look at it another way; what is the IRS really saying to us? The Bill of Rights and the Constitution are great, they are really great but not for the IRS. They should apply everywhere else but do not put it on us.

Let me tell you something, folks, we could ensure that those questions they need answered could be answered, but when it gets into a courtroom every American should be treated fairly and the Bill of Rights should stand by every American.

I do not buy it. I think it is time for Congress to begin to run our country again.

#### WHO REALLY CARES ABOUT OUR CHILDREN?

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

Mr. FUNDERBURK. Mr. Speaker, who really care about America's children?

Mr. Clinton and the congressional minority claim that they do. This is the same White House whose budget will add \$250 billion to our existing \$5 trillion debt over the next 5 years. This is the same Democratic Party which killed the balanced budget amendment, and fought tooth and nail against a minuscule 1 percent cut in Federal spending this year. This is the same crowd which has saddled each and every child in America with \$17,000 of debt the minute they are born.

Mr. Speaker, I will tell you what real concern is. It is enacting \$100 billion in real spending cuts in foreign aid, the Federal bureaucracy, Amtrak, Legal Services, the arts, and welfare. So you see Mr. Speaker, there is one party which cares enough to spare the future generations of American children from the suffocating burden of debt. We were sent here to safeguard the future of every poor, middle, and working class child. We will show we really care about our children by gutting Federal spending and ending business as usual.

#### TERMS LIMITS A BAD IDEA

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

Mr. RICHARDSON. Mr. Speaker, term limits are a bad idea whose time has not come. We already have term limits. They are called elections every 2 years. We do not need another constitutional amendment to change what the voters already have done, and that is change the Congress and the political system.

Since I came to Congress 12 years ago, 75 percent of the House has changed. If you want entrenched bureaucrats, if you want lobbyists and if you want staff to run the Congress, then vote for term limits.

It is also hypocritical for Members to vote term limits but exclude themselves from the law.

Mr. Speaker, campaign finance reform is what is needed. Let us put elections on a more equitable basis, let us have a gift ban, let us have ethics reform, but let us not use term limits as the ruse for the problems that exist in this country.

Term limits are a bad idea and I am proud to say that.

#### PASS TERM LIMITS

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

Mr. TIAHRT. Mr. Speaker, last week the bipartisan majority passed a welfare reform package that overhauls the current welfare system to offer hope for the future. Today, we are continuing to keep our promise with the American people by bringing to the floor an historic vote on a constitutional amendment on term limits to make Congress a true citizen legislature.

Everyone here knows that a constitutional amendment needs 290 votes to pass the House. The Republicans cannot do it on their own. We will deliver at least 80 percent of our Members on the term limit vote, but we need at least 50 percent of the Democrats to vote yes, also. Today I challenge the Democrats to deliver the necessary votes to pass term limits. It's in the Democrat hands to pass this.

So what is it going to be—yes, or no.

Let's pass term limits and make Congress a true citizen legislature that's accountable to the people.

#### TERM LIMITS

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

Mr. PETERSON of Florida. Mr. Speaker, I agree with the last speaker. We should pass term limits. This week we will debate term limits all week long.

This is a subject whose time has come. There are several proposals out there. One of them is mine and I am not a latecomer to term limits. I supported term limits in 1989, the first time I campaigned for office, and I have stood fast on that ever since. On January 11 of this year I dropped a bill on term limits, restricting to 12 years, but different from everybody else's. I said it should apply to me and every other Member of this House.

That is the argument we are going to have this year, and this week we are going to be asked to stand up and be counted. America says term limits applies to us. If they are angry at Congress, can it not be that they are angry at us?

## SUPPORT TERM LIMITS

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

Mr. EHLERS. Mr. Speaker, over 200 years ago the Founders of this Nation established a system of government which contained considerable checks and balances, and they established this form of government because they wanted to limit the power of an individual or a group to take over.

We have found it necessary to modify the Constitution by limiting the term of a President to 8 years, further limiting the power of an individual to take over the country or to do more than he or she should do.

The House of Representatives this year took action to limit the Speaker to 8 years under the same philosophy, and we also limited committee chairmen to 6 years to prevent abuse of power.

This week it is time for us to carry out the next logical step, and that is to limit the power of the present length of term of individual Members of Congress.

I believe it is a logical next step, it is an important next step, and I urge this Congress to vote to put in place term limits on individual Members of Congress. It is a historic vote and the first opportunity this Congress has ever had to cast this vote. I urge that it be a "yes" vote.

#### OPPOSE SALE OF POWER MARKETING AGENCIES

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

Mr. POMEROY. Mr. Speaker, today my friend and colleague, the gentleman from Oregon [Mr. COOLEY], and I delivered a bipartisan letter to the Speaker of the House urging him to help us defeat the administration's proposal to increase electric rates by selling off the power marketing agencies or PMA's.

If the goal of this Congress is to make Government run smarter, this plan would not stand a chance. The PMA's run at no cost to taxpayers, but make a big difference in the electric rates paid by over 100,000 in North Dakota and millions nationwide.

There is one thing that has become clear since this idea was first suggested. This idea will not save the Federal Treasury a dime, but it will cost electric ratepayers millions.

If sold, these agencies could well go to the highest bidder, driving up electric rates higher than those paid today.

Mr. Speaker, 52 House Members who have signed this letter will not accept that. We are going on record today. We are opposed to the PMA sale and we are opposed to higher electric rates for our constituents.

## MAXED OUT CREDIT

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

Mrs. SEASTRAND. Mr. Speaker, most of us sit around the kitchen table once a month to pay the bills. The mortgage payment, the car payment, and insurance take out the majority of the paycheck. Then we notice the car insurance went up and we had unexpected medical bills. Sometimes we glance at the credit card bills and find they too are maxed out. We call this monthly kitchen table financial reality.

Kitchen table financial reality has hit our Nation. Our Nation's bills keep growing, and the country's credit cards are maxed out. Just as families decide to cut the monthly expenses and quit using the credit cards, so too has the Republican majority faced up to controlling the Federal bureaucracy from its uncontrolled spending habits and we are putting a hold on the credit cards.

Cutting the deficit to save the next generation of children from being born into bankruptcy won't be easy. It will require sacrifice from all Americans, just as mothers and fathers sacrifice for our children everyday.

#### WE NEED TERM LIMITS TODAY

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

Mr. TATE. Mr. Speaker, what a difference an election makes. Just last year the Speaker of the House was suing the citizens of my fair State, Washington State, because he was against term limits.

Well, this year what a difference. On January 4 the Speaker of the House limited his terms to 8 years. We limited the terms of our committee chairs and ranking minority, and we will bring out here on the House floor for the first time in American history term limits.

We are going to deliver 80 percent of our Members. We need you to deliver at least 50 percent of yours.

But what is the Democrat response on term limits? Retroactivity. It has been on the ballot once in the history of this country, in Washington State, and it was defeated.

The people purporting this plan have been in office longer than I have been alive. It is a crock. It is a sham. If you really want term limits, vote for the Hilleary amendment which is truly allowing State rights to go forth. Vote for term limits. We need it today.

## STUDENT LOANS

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

Mr. WARD. Mr. Speaker, in their increasing effort to pay for a capital gains tax cut for the wealthiest of society and to assure that the supporters of the Republican contract for America now have a new target for spending cuts—students.

Under the Republican contract rescissions package, \$63 million is eliminated for the State Incentive Grant Program, which effectively cuts the entire program; \$104 million is eliminated for the Pell Grant Program and; Federal direct student loans are cut by \$47 million. Over 50 percent of all students currently attending college receive some type of financial aid which will be directly affected by these cuts.

In Kentucky alone last year, there were over 70,000 student loans granted totaling over \$180 million.

Of these 70,000 loans, students of the University of Louisville received over 7,000 loans totaling over \$23 million. Mr. Speaker, these figures represent only one State and only one school, the true effects of these cuts are more far-reaching and will prohibit millions from obtaining an education.

Mr. Speaker, If we truly value education in our society, we will be committed to providing the necessary assistance to enable all Americans to obtain a college degree. I hope that we can make this commitment together.

#### TERM LIMITS AMENDMENT

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

Mr. JONES. Mr. Speaker, our Founding Fathers while drafting the Constitution provided a simple but decisive and important process for the American people to properly amend the Constitution. Through the years, our country has adopted important amendments to improve the public's role; such as the right to vote. Now, it is time to continue the process with term limits.

Over 75 percent of the American public believe they deserve the right to personally vote on term limits.

Anyone who sits in this Congress who disagrees with giving the citizens of this country a chance to vote on this very popular and important issue, in my opinion, shows no confidence in the people which elected them.

I strongly believe that if any elected official cannot put aside their own self-interests for the good of the American people, then maybe they have been inside the beltway too long.

#### STUDENT LOANS

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

Mr. HILLIARD. Mr. Speaker, I rise today in strong protest to yet another Republican plan to penalize the middle class in the name of tax cuts for the rich. The majority party is endangering the future of our country, the future of our young people, by targeting

student loan opportunities for cuts, in order to finance their special interest tax breaks.

The various government-funded student loan programs account for over 75 percent of financial aid that is distributed in this country every year. Cuts to student assistance will end up costing middle class Americans over \$20 million over the next 5 years. This is a burden too heavy to force onto the working families of this country.

In this day and age, a person cannot achieve success without a good education. I am a firm believer that bright and talented young people should be given every opportunity for success. No young person who is capable of learning should be denied the opportunity to pursue higher education. We have an obligation to fulfill, an obligation to these kids, to ourselves, and to America's future.

#### LORD ACTON WAS RIGHT

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

Mr. METCALF. Mr. Speaker, the growing support for term limits is a recognition of Lord Acton's dictum: "Power corrupts, and absolute power corrupts absolutely." Long-term incumbency does change the outlook of elected officials.

In 1969, over 25 years ago, I introduced the first term limits bill, the bill that launched the modern struggle for term limits. As a Washington State Senator, I saw that long-term service concentrated power in the hands of a few, thus reducing effective representation by the majority of the body, be it Congress or the State legislature.

Fundamental to the idea of a citizen Congress is the principle that Members serve a limited time and then return home to live under the laws they have made.

I support the initiative passed by the voters of the State of Washington establishing a 6-year term limit for Members of Congress. This is the mandate from the people: "Pass a term-limit amendment on the Congress as we did for the Presidency."

#### OPPOSE CUTS IN STUDENT AID

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

Ms. DELAURO. Mr. Speaker, once again, Republicans are asking middle class families to sacrifice in order to pay for their tax giveaway to the wealthy. This time they have zeroed in on student loan programs that have helped educate generations of middle class kids.

The Contract With America puts four crucial student aid programs on the chopping block. Together, these programs account for 75 percent of the financial aid currently awarded to college students.

If these mean-spirited cuts are approved, it would cost students and their families \$20 billion over the next 5 years—making this the largest increase in college costs in history. Middle class families rely on student aid. In fact, NEWT GINGRICH and DICK ARMEY took out student loans to pay for their education. Now, they want to pull up the ladder behind them and deny that opportunity to the students of today. Don't let Professor GINGRICH cancel class for hundreds of thousands of college students. Oppose cuts in student aid.

#### TERM LIMITS

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

Mr. KNOLLENBERG. Mr. Speaker, this week for the first time in history, we will vote to limit the number of terms Members of Congress can serve. The new, open, GOP Congress will bring not one, not two, not three, but four term limit proposals to the floor for a first-ever vote to replace career politicians with citizen legislators and return the balance of power back to the people.

Republicans are committed to term limits but, alone we can not give the overwhelming majority of Americans what they want—we need the support and votes from our Democratic colleagues. Even if all 230 Republicans vote for term limits, we would still need 60 Democrats in order to pass this constitutional amendment.

So, today the fate of term limits and the will of the American people rest in your hands [pointing towards Democrats]. It is up to you to either join our effort to return the people's body to the people and pass a term limits amendment—or—to fight for the status quo of congressional careerism and the influence of high-powered, Washington lobbyists.

Mr. Speaker, it is time to put partisan politics aside and give America what 22 States have already demanded: term limits.

#### OPPOSING CUTS IN STUDENT AID

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

Mrs. SCHROEDER. Mr. Speaker, the best investment the Federal taxpayer makes is in getting young people an education. So I think student loans make all the sense in the world, and we ought to be sure that every young person who has the will, the desire, and the ability to go to school also has the economic wherewithal.

Now, why do I say that is the best investment? Because we all know someone with a higher education makes a whole lot more money, so they are going to be paying higher taxes. You do not need new math, and you do not

have to be a rocket scientist to figure that one out.

And yet, so what are these guys going to do to save this crown jewel of the contract, the tax cut for the rich? Well, they are going to cut student loans. That is really penny-wise and pound-foolish, and it is absolutely unfair to the next generation of our young people.

If anyone thinks that we can do well in the 21st century with our young people having less education, go ahead, go for the cuts, but I will not.

#### INTRODUCTION OF THE TUITION ACCOUNT ASSISTANCE ACT OF 1995

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

Mr. ENGLISH of Pennsylvania. Mr. Speaker, well, I agree with the last speech that a college education is an important strategic investment. That is why today I am introducing the Tuition Account Assistance Act of 1995.

This bipartisan bill will eliminate the tax liability on the value of State prepurchased college tuition credits. Our TAP program in Pennsylvania has been hurt by the IRS when it treats appreciated credits purchased in this program as a capital gain.

This bill will enable middle-class families to save for their children's education without capital gains penalties, and it is supported by Pennsylvania's State system of higher education.

While the program in the State of Pennsylvania is relatively young, several other States with similar programs have had problems with the capital gains tax including Florida and Michigan.

To me, this issue highlights how capital gains tax affects the middle class. One thing that has been lost in some of this floor discussion is that nearly 60 percent of tax returns claiming a capital gain were filed by taxpayers with less than \$50,000 income.

#### WISHING AWAY THE BUDGET DEFICIT

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

Mr. DOGGETT. Mr. Speaker, I rise to commend the distinguished Republican Chair of the Senate Budget Committee, Senator DOMENICI, for his straightforward comment on Saturday that, "My goal as chairman of the committee is to produce a balanced budget without any tax cut." Such candor has been rare from House Republicans who are constructing a budget in a dream world. It is based on the first law of Fantasyland that wishing will make it so.

We cannot wish away the budget deficit. We cannot wish away and get a balanced budget and provide tax breaks for those who earn \$200,000 a year and

more, and yet that is what they proposed.

Indeed, they have cut last week's school lunches, and now we are about to see them attempt to cut on the big brothers and the big sisters of those same children when they cut student loans.

Fortunately and finally last week over 100 House Republicans questioned whether providing a tax break for those at the \$200,000 level made any sense. It does not. This move represented a half step, but that is better than the kind of lockstep that we have seen of late.

#### IT IS TIME TO SET TERM LIMITS

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

Mr. CHABOT. Mr. Speaker, I do not see how anyone could have watched the debate over welfare reform last week and not come away in favor of term limits.

Even though just about everybody agrees that the current welfare system is a mess, in fact, an abysmal failure, we saw last week the architects of the present welfare system stream to this floor to denounce attempts at reform. Sure, they couched their opposition in politically correct terms. They have learned how to do that around here.

We do need change, they admit, just not this change. The very people who fought the hardest against welfare reform were the same Members who for decades have voted to fund and expand the welfare monstrosity.

Some folks seem to be a little too proud of their handiwork and a little too close to the bureaucracies they have built.

Mr. Speaker, last week we set term limits on welfare recipients. Now we ought to set term limits on the group that created the welfare mess in this country in the first place.

#### GOP HAS SUPERMAJORITY ON TERM LIMITS

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

Mr. BALLENGER. Mr. Speaker, make no bones about it, the fate of term limits rests squarely on the shoulders of the Democrats in Congress.

More than 80 percent of Republican Members support and will vote for term limits.

That's more than a majority. That is more than a supermajority. Why that might even be more than a superduper majority.

All we need is the support of just one-half of the Democrats.

Not even a majority, just 50 percent.

No one can say that Republicans have not listened to the American people who overwhelmingly support term limits.

Mr. Speaker, I ask just half my colleagues on the other side of the aisle to listen to the American people.

To them I would say, stop the arrogance of Washington. Vote "yes" on term limits.

□ 1430

#### TERM LIMITS: BOUND BY THE VOICE OF MY CONSTITUENTS

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

Mr. GEKAS. Mr. Speaker, a few years ago when the great debate began back in our constituencies about the possibility of term limitations, I debated that very same subject with various groups in our district. I took the position then, which I felt was justified, that term limits were a province of the voters, who every 2 years could exert their judgment and determine whether or not the term of that particular officeholder should be ended.

Well, the debate went on and on and finally I decided to resolve the question by having an item in my annual questionnaire as to how our people felt about term limitations. By a count of 70 or more in that grandiose count that we made of opinion in our district, people were in favor of term limitations.

So as we begin the dateline here today on the debate on term limitations, I am bound by the voice of my people and I will vote in favor of term limitations. And no matter what the outcome, they will determine, in November of 1996, whether my term should expire.

#### SELLING BONNEVILLE POWER ADMINISTRATION IS A BAD IDEA

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

Mr. COOLEY. Mr. Speaker, I rise today to inform my colleagues that selling the Bonneville Power Administration is a bad idea for now.

If we are looking for someone to buy BPA, the only buyer I know, foolish enough to take on an investment like this, is Uncle Sam himself. In fact, if we did find such a buyer, they would probably have a deed to the Brooklyn Bridge.

Here are just five of the reasons that make Bonneville a bad candidate for privatization. First, there will be incredible costs associated with the Endangered Species Act requirements.

Second, nuclear plant investments have gone bad, creating more costs to cut profit margins.

Third, this year alone, it is recommended that BPA spend \$500 million on fish and wildlife mitigation costs.

Fourth, you cannot sell what is not yours. Numerous counties and cities have vested interests in the facilities and transmission equipment.

Finally, there are treaty considerations with Canada that will profoundly complicate matters.

Clearly, while privatization sounds good for the taxpayer, there is a right way and wrong way to go about it. Now is not the time for BPA.

#### TERM LIMITS: A CITIZEN LEGISLATURE

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

Mr. CHRISTENSEN. Mr. Speaker, today in this body we begin a historic debate. Not since 1776 when the Framers of the Constitution first discussed the concept of a citizen legislature has the concept of limited terms been debated by those chosen to represent their respective States.

It was during that historic debate that the gentleman from Virginia, George Mason, stated that:

Elected representatives should be subject to periodical rotation. For 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 and where he must participate in their burdens.

It is with that in mind that I challenge you, my colleagues, with remembering that 22 States have already enacted term limits for their elected Members.

I urge you to support term limits and return this elected body to a citizen legislature.

#### THANKS FOR ENDING WELFARE AS WE KNOW IT

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

Mr. LATOURETTE. Mr. Speaker, I must admit to being a little depressed when I left here last week.

With calls of "Shame, Shame, Republican, Shame," still ringing in my ears, I wondered: Was I really mean-spirited? Did our welfare plan deserve the name-calling and the references to Nazi Germany?

I was heartened, though, when I boarded the plane at National and the flight attendant did not tell me to sit down and shut up; further encouraged when the dog did not bite me and the kids were happy to see me; happier still when the folks back home—those who get up every morning at 5:30, carry a lunch box, pay their taxes, and obey the law—called to say thanks for ending welfare as we know it.

But it was not until Sunday morning, when I got the paper out of the tube and saw this cartoon, that my spirits truly soared and I was able to separate rhetoric from reality.

My thanks to cartoonist Kelley from the San Diego Union-Tribune. In this picture, Tom has five apples and Ed has one. Tom gives three of his apples to

Ed, and now Ed claims that his apple has been cut in two. The query by the cartoonist is "How can that be?" And the answer is "That's a Democrat."

REPORT ON NATIONAL EMERGENCY WITH RESPECT TO ANGOLA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

(H.DOC.NO. 104-53)

The SPEAKER pro tempore (Mr. McINNIS) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed.

*To the Congress of the United States:*

I hereby report to the Congress on the developments since September 26, 1994, concerning the national emergency with respect to Angola that was declared in Executive Order No. 12865 of September 26, 1993. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c).

On September 26, 1993, I declared a national emergency with respect to Angola, invoking the authority, inter alia, of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and the United Nations Participation Act of 1945 (22 U.S.C. 287c). Consistent with United Nations Security Council Resolution 864, dated September 15, 1993, the order prohibited the sale or supply by United States persons or from the United States, or using U.S.-registered vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles, equipment and spare parts, and petroleum and petroleum products to the territory of Angola other than through designated points of entry. The order also prohibited such sale or supply to the National Union for the Total Independence of Angola ("UNITA"). United States persons are prohibited from activities that promote or are calculated to promote such sales or supplies, or from attempted violations, or from evasion or avoidance or transactions that have the purpose of evasion or avoidance, of the stated prohibitions. The order authorized the Secretary of the Treasury, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, as might be necessary to carry out the purposes of the order.

1. On December 10, 1993, the Treasury Department's Office of Foreign Assets Control ("FAC") issued the UNITA (Angola) Sanctions Regulations (the "Regulations") (58 Fed. Reg. 64904) to implement the President's declaration of a national emergency and imposition of sanctions against Angola (UNITA). There have been no amend-

ments to the Regulations since my report of September 20, 1994.

The Regulations prohibit the sale or supply by United States persons or from the United States, or using U.S.-registered vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles, equipment and spare parts, and petroleum and petroleum products to UNITA or to the territory of Angola other than through designated points. United States persons are also prohibited from activities that promote or are calculated to promote such sales or supplies to UNITA or Angola, or from any transaction by any United States persons that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in the Executive order. Also prohibited are transactions by United States persons, or involving the use of U.S.-registered vessels or aircraft, relating to transportation to Angola or UNITA of goods the exportation of which is prohibited.

The Government of Angola has designated the following points of entry as points in Angola to which the articles otherwise prohibited by the Regulations may be shipped: *Airports*: Luanda and Katumbela, Benguela Province; *Ports*: Luanda and Lobito, Benguela Province; and *Entry Points*: Malongo, Cabinda Province. Although no specific license is required by the Department of the Treasury for shipments to these designated points of entry (unless the item is destined for UNITA), any such exports remain subject to the licensing requirements of the Departments of State and/or Commerce.

2. FAC has worked closely with the U.S. financial community to assure a heightened awareness of the sanctions against UNITA—through the dissemination of publications, seminars, and notices to electronic bulletin boards. This educational effort has resulted in frequent calls from banks to assure that they are not routing funds in violation of these prohibitions. United States exporters have also been notified of the sanctions through a variety of media, including special fliers and computer bulletin board information initiated by FAC and posted through this Department of Commerce and the Government Printing Office. There have been no license applications under the program.

3. The expenses incurred by the Federal Government in the 6-month period from September 26, 1994, through March 25, 1995, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Angola (UNITA) are reported at about \$50,000, most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the Customs Service, the Office of the Under Sec-

retary for Enforcement, and the Office of the General Counsel) and the Department of State (particularly the Office of Southern African Affairs).

I will continue to report periodically to the Congress on significant developments, pursuant to 50 U.S.C. 1703(c).

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 27, 1995.

REPORT ON HEALTH CARE FOR NATIVE HAWAIIANS PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States which was read and, together with the accompanying papers, without objection, referred to the Committee on Commerce.

*To the Congress of the United States:*

I transmit herewith the Report on the Health Care for Native Hawaiians Program, as required by section 11 of the Native Hawaiians Health Care Act of 1988, as amended (Public Law 102-396; 42 U.S.C. 11701 et. seq.).

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 27, 1995.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON HOUSE OVERSIGHT

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on House Oversight.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOUSE OVERSIGHT,  
Washington, DC, March 24, 1995.

Hon. NEWT GINGRICH,  
Speaker, House of Representatives, the Capitol,  
Washington, DC.

DEAR MR. SPEAKER: In my letters to you of January 18, 1995 assigning various functions to the House Officers, I indicated that assignment of these responsibilities constituted a first step in the ongoing restructuring of House operations, and that further changes may be directed as they become necessary.

Based on further review, and pursuant to the authority vested in the Committee on House Oversight by House Rule X, clause 1(h) and clause 4(d)(2), the Committee directs that operational and financial responsibility for the House Document Room is assigned to the Clerk of the House of Representatives effective on March 27, 1995.

Best regards,

BILL THOMAS,  
Chairman.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on

all motions to suspend the rules but not before 5 p.m. today.

## AGE DISCRIMINATION IN EMPLOYMENT AMENDMENTS OF 1995

Mr. FAWELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 849) to amend the Age Discrimination in Employment Act of 1967 to reinstate an exemption for certain bona fide hiring and retirement plans applicable to State and local firefighters and law enforcement officers, and for other purposes.

The Clerk read as follows:

H.R. 849

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Age Discrimination in Employment Amendments of 1995".

### SEC. 2. REINSTATEMENT OF EXEMPTION.

(a) **REPEAL OF REPEALER.**—Section 3(b) of the Age Discrimination in Employment Amendments of 1986 (29 U.S.C. 623 note; Public Law 99-592) is repealed.

(b) **EXEMPTION.**—Section 4(j) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623), as in effect immediately before December 31, 1993—

(1) is hereby reenacted as such, and

(2) as so reenacted, is amended by striking "attained the age" and all that follows through "1983, and", and inserting the following:

"attained—

"(A) the age of hiring or retirement in effect under applicable State or local law on March 3, 1983; or

"(B) if the age of retirement was not in effect under applicable State or local law on March 3, 1983, 55 years of age; and".

### SEC. 3. STUDY AND GUIDELINES FOR PERFORMANCE TESTS.

(a) **STUDY.**—Not later than 3 years after the date of enactment of this Act, the Chairman of the Equal Employment Opportunity Commission (in this section referred to as "the Chairman") shall conduct, directly or by contract, a study that will include—

(1) a list and description of all tests available for the assessment of abilities important for completion of public safety tasks performed by law enforcement officers and firefighters,

(2) a list of such public safety tasks for which adequate tests do not exist,

(3) a description of the technical characteristics that performance tests must meet to be compatible with applicable Federal civil rights Acts and policies,

(4) a description of the alternative methods available for determining minimally acceptable performance standards on the tests described in paragraph (1),

(5) a description of the administrative standards that should be met in the administration, scoring, and score interpretation of the tests described in paragraph (1), and

(6) an examination of the extent to which the tests described in paragraph (1) are cost effective, safe, and comply with Federal civil rights Acts and regulations.

(b) **ADVISORY GUIDELINES.**—Not later than 4 years after the date of enactment of this Act, the Chairman shall develop and issue, based on the results of the study required by subsection (a), advisory guidelines for the administration and use of physical and mental fitness tests to measure the ability and competency of law enforcement officers and

firefighters to perform the requirements of their jobs.

(c) **CONSULTATION REQUIREMENT; OPPORTUNITY FOR PUBLIC COMMENT.**—(1) The Chairman shall, during the conduct of the study required by subsection (a), consult with—

(A) the United States Fire Administration,

(B) the Federal Emergency Management Agency,

(C) organizations that represent law enforcement officers, firefighters, and their employers, and

(D) organizations that represent older individuals.

(2) Before issuing the advisory guidelines required in subsection (b), the Chairman shall allow for public comment on the proposed guidelines.

(d) **DEVELOPMENT OF STANDARDS FOR WELLNESS PROGRAMS.**—Not later than 2 years after the date of the enactment of this Act, the Chairman shall proposed advisory standards for wellness programs for law enforcement officers and firefighters.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$5,000,000.

### SEC. 4. EFFECTIVE DATES.

(a) **GENERAL EFFECTIVE DATE.**—Except as provided in subsection (b), this Act shall take effect on the date of the enactment of this Act.

(b) **SPECIAL EFFECTIVE DATE.**—Section 2(b)(1) shall take effect on December 31, 1993.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. FAWELL] will be recognized for 20 minutes, and the gentleman from California [Mr. MARTINEZ] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. FAWELL].

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

Mr. Speaker, the bill we are considering today, the Age Discrimination in Employment Amendments of 1995, would restore the public safety exemption under the Age Discrimination in Employment Act [ADEA] and permit police and fire departments to use maximum hiring and mandatory retirement ages as part of their overall personnel policies. When the upper age limit for coverage under the ADEA was removed in 1986, the use of such age criteria was made generally impermissible under the act. Legislation to restore the public safety exemption was twice considered and passed by the House during the last Congress, but failed to clear the Senate.

H.R. 849 amends section 4 of the ADEA to allow, but not require, State and local governments that used age-based hiring and retirement policies for law enforcement officers and firefighters as part of a bona fide hiring or retirement plan as of March 3, 1983, to continue to use such policies. It also amends section 4 to allow States and local governments that either did not use or stopped using age-based hiring or retirement policies to adopt such policies with the proviso that the mandatory retirement age be not less than 55 years of age. In addition, H.R. 849 directs the EEOC to identify particular types of physical and mental fitness tests that are valid measures of the ability and competency of public safety officers to perform their jobs and to

promulgate guidelines to assist State and local governments in the administration and the use of such tests.

The flexibility to use age-based criteria as part of an overall personnel policy is being sought by both management and labor in the public safety field. The Subcommittee on Employer-Employee Relations received compelling testimony from organizations representing rank-and-file firefighters and police officers, as well as local government, arguing that age was an effective proxy for job fitness in these extremely dangerous and physically demanding occupations. These organizations contend that tests of physical and mental fitness have not proven a feasible alternative to an age proxy because such tests do not replicate the stress inherent in an actual emergency. Testing also places these organizations in the bind that many private sector employers find themselves in—namely, that they must use tests to avoid the use of arbitrary selection criteria, but every test they select is subject to challenge for its other discriminatory effects and for its job relatedness.

I find persuasive the arguments of these law enforcement and firefighting organizations which, after all, represent those on the frontlines of public safety. I do not feel that we can discount their judgment and there is obviously a commonsense recognition that there is some decline in physical ability with age. The potential threat to public safety posed by the expiration of the exemption demands that the Congress act to allow State and local governments closest to the needs of law enforcement and firefighting to make their own decisions about hiring and retirement policies.

I might add that I strongly support the protections against arbitrary age discrimination inherent in the ADEA. The public safety field is one of the rare exceptions where one's age is relevant to one's ability to perform effectively as a firefighter or law enforcement officer. Perhaps at some point, the age proxy will no longer be necessary and effective tests will be available. As I mentioned, to that end, the bill we are considering today directs the Equal Employment Opportunity Commission [EEOC] to develop and to issue advisory guidelines for the administration and use of physical and mental fitness tests to measure the ability and competency of law enforcement officers and firefighters to perform the requirements of their jobs. Until the point that adequate tests are in place however, I feel that the public safety exemption to the ADEA is necessary and that H.R. 849 should be quickly enacted. I urge the support of the legislation.

Mr. Speaker, I would also very much like to thank the gentleman from New York [Mr. OWENS], who did quite a lot of work on this bill last year, and the gentleman from California [Mr. MARTINEZ] for their longstanding support

and outstanding leadership regarding this legislation. During the last Congress, Mr. OWENS twice shepherded a similar bill to passage on the House floor only to see it languish and die in the other body. My hope is that our colleagues on the other side will now move on the bill and that this important legislation will indeed finally be enacted.

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

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

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

Mr. MARTINEZ. Mr. Speaker, I rise in support of H.R. 849. As the Honorable Member, the gentleman from Illinois [Mr. FAWELL], chairman of the Subcommittee on Employer-Employee relations has said, this bill has been before us in previous Congresses. In the 103d Congress, Mr. OWENS of New York was the chief author of the bill, and as the gentleman from Illinois [Mr. FAWELL] has said, it passed with the widest of margins.

□ 1445

But it failed in the Senate, and, although there may be some who are still not in total support of this bill, this bill is a good bill, and this bill solves the problem raised by the municipalities who have demonstrated that the provision allowing them to implement an age-based retirement system, but not mandating that they do so, will provide them with the flexibility they need to continue to ensure the public safety and their residents and citizens.

This responds to the needs of the employees—those police and firefighters who feel so strongly that the public and their fellow public safety workers will be best served by the flexibility this change to the ADEA will allow. And, because it is not mandatory, but provides the authority to base a mandatory retirement program on age; city managers, fire chiefs, police chiefs, and their own elected officials can develop their own policies based on what works best for them.

I am proud to support this bill, and I ask my colleagues to do the same.

Mr. Speaker, I had intended to yield to the gentleman from New York [Mr. OWENS] who is not here, and I would ask if the gentleman from Illinois [Mr. FAWELL] is going to ask for the 5 legislative days for comment by our colleagues.

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

Mr. MARTINEZ. I yield to the gentleman from Illinois.

Mr. FAWELL. Yes, I will.

Mr. HOYER. Mr. Speaker, I rise today in support of H.R. 849, to amend the Age and Discrimination in Employment Act of 1967. This bill will reinstate an exemption for certain bona fide hiring and retirement rules applicable to firefighters and law enforcement officials. The bill also instructs the Equal Employment Opportunity Commission Chairman to conduct a study as to whether there should be

mandatory retirement ages for these public employees. Ultimately, this bill seeks to clear up the confusion which has come about due to differing court decisions throughout the country on this issue over the past several years.

In 1986, the Congress passed a law which exempted fire and police departments from the ADEA for a period of 7 years. This exemption expired on January 1, 1994. It has long since been time to act and with this bill today we are fulfilling our responsibility to those who put their lives on the line for each American every day.

All of us know how physically demanding firefighting is. We also recognize the importance of protecting our communities. Mr. Speaker, the ability for firefighters and law enforcement officials to perform their duties at peak level is literally a matter of life and death for each and every American. Clearly age affects and individuals ability to perform the duties associated with these jobs.

Mr. Speaker, the study which followed the passage of this legislation in 1986 clearly concluded that age has a direct impact on a person's ability to work as a police officer or firefighter. We took this measure up twice last year and both times it passed unanimously in the House. The inaction of the Senate in the last Congress is no excuse for us not to act favorably on this measure again in the 104th Congress and I urge its adoption here today.

For all of the hard and dedicated work that these public employees perform each and every day it is our responsibility to ensure that the rules governing their employment and retirement are adequate and fair. This is exactly what H.R. 849 seeks to achieve. Let us today demonstrate our support of firefighters and law enforcement officials throughout the country with the speedy, unanimous passage of this bill. Thank you.

Mr. OWENS. Mr. Speaker, I rise in strong support of H.R. 849, the Age Discrimination in Employment Act Amendments of 1995. This legislation would permanently exempt State and local public safety agencies from the Age Discrimination in Employment Act in order to permit them to consider age in their hiring and retirement policies. This exemption is urgently needed to provide State and local agencies the flexibility they need to ensure that all public safety employees are fit and able to carry out their very demanding jobs. Comparable legislation passed the House unanimously on two occasions last year but was prevented from even being considered by the Senate by the threat of a filibuster. It is imperative that there be no further delay.

As a rule, Congress must avoid exempting whole classes of employees from the protection of civil rights laws unless it is absolutely necessary. We should not carve out exemptions merely because an employer finds civil rights compliance to be costly or inconvenient. Exemptions must be made only when there is a strong compelling need to do so and there is no other reasonable alternative. This is one of those rare instances.

State and local fire and police agencies must be exempted from the ADEA in order to protect and promote the safety of the public. This is literally a life or death matter. If a police officer or firefighter cannot adequately perform their duties, people die and people get hurt.

Age does indeed affect an individual's ability to perform the duties of a public safety officer. This is not a stereotype. This is not ageism. This is a medical fact. Physical ability declines with age. For example, aerobic capacity declines at a rate of 1 percent per year after age 30. Strength declines at a rate of 10–13 percent every decade. The risk of sudden incapacitation also clearly increases with age, increasing sixfold between the age of 40 and 60 years of age. These physical effects are not experienced by all people to the same degree or at the same precise time. But they pose a significant problem to public safety agencies in their efforts to maintain a fit and effective work force.

A public safety agency can respond to age-related declines in ability in 1 of 2 ways. It can establish an age-based mandatory retirement policy. This will reduce the risks to public safety, but it may result in some capable individuals being forcibly retired.

Alternatively, an agency can try to use performance and physical ability testing to try to screen out employees who might pose a threat to public safety. Unfortunately, there are numerous problems with trying to use tests as an alternative to age which makes this option untenable.

It is simply not possible to devise a test for all tasks carried out by a public safety employee. For example, no test could have possibly simulated the kinds of physical conditions public safety employees in California have faced over the past few weeks of severe flooding. No test, no matter how comprehensive, can measure all of the skills and abilities a public safety employee must possess.

Moreover, there is no current test that can effectively screen for the risk of sudden incapacitation among asymptomatic individuals. A mandatory retirement age, used in conjunction with screening for other risk factors, continues to be the most effective way of reducing the risk of sudden incapacitation by public safety officers.

Testing can also have a very serious negative impact on other individuals and groups that historically have been discriminated against in employment. Tests have been proven to have an adverse impact on women and minorities. Women on average are less strong than men. Written tests may underpredict the on-the-job performance of minorities. To assure that such factors did not prevent women and minorities from serving in public safety positions, many agencies within-group normed the results of certain tests. Unfortunately, a provision of the Civil Rights Act of 1991 now prohibits that practice. As a result, any increase in the use of physical and mental testing of public safety employees will jeopardize employment opportunities for women and minorities.

Another, but lesser concern is that it is enormously expensive to administer performance and ability tests on a periodic basis to all public safety employees, consuming scarce resources that are needed to keep police on the streets. In addition, testing often entails considerable litigation over the content of the tests. In Tennessee, for example, there were several years of litigation over the State wildlife officer's entrance exam which focused on the question of whether the fences recruits had to scale should be 8 or 10 feet tall.

For these reasons, testing does not today represent a viable alternative to age-based



mandatory retirement policies for public safety agencies. If public safety agencies are exempted from the ADEA, those agencies who wish to experiment with testing in lieu of retirement ages will be able to do so. But given the uncertainty about the effectiveness, effects and implications of using tests as a substitute for age, the Congress must not force every public safety agency to implement them. This would be the effect if we did not enact an exemption.

I urge my colleagues to join me in supporting passage of H.R. 849. All public safety employees must be fit, effective, and fully capable of fulfilling their duties. An ADEA exemption will assure that State and local police and fire agencies will be able to pursue that goal using the same age-based employment criteria which is now used by the FBI, the Secret Service and other Federal public safety agencies.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to express my strong support for H.R. 849, the Age Discrimination in Employment Safety Exemption Act. As the founder of the congressional fire services caucus, I have worked tirelessly to promote fire safety at the national level. For this reason, I am a cosponsor of H.R. 849 and am grateful that my colleague from Illinois has brought this issue to the floor today.

The ability of all public safety officers to perform their duties at peak level is literally a matter of life or death for millions of Americans. I can tell you first hand that the physical demands of firefighting are overwhelming. For this reason, in 1986, Congress agreed to exempt fire and police departments from ADEA while an official study was conducted regarding the validity of age criteria for public safety occupations. The study verified what I have been saying for years, that the ability to work as a fire or police officer declines with age.

Fitness tests are not a valid alternative to age limits. I've been surrounded by a 6-foot wall of fire, and I'm telling you there is no adequate simulation. In addition, fitness tests have been consistently struck down by courts as discriminatory. In absence of a valid fitness test, age limits ensure our public safety teams are in peak condition.

In addition, this bill will continue to protect State and local governments who in the past have been threatened with costly litigation in their efforts to defend age policies. Lives are at stake; we cannot let this issue become another litigation nightmare played out in our Nation's courts.

H.R. 849 is supported by those who are directly affected by its passage, the fire and police officers who rely on the ability of their colleagues to perform each and every day. In addition, the measure enjoys a broad and diverse range of support from organizations such as the AFL-CIO, the International Association of Fire Chiefs, the Fire Department Safety Officers Association, the International Association of Chiefs of Police, and the National Association of Counties to name but a few.

Mr. Speaker, I support passage of H.R. 849 and urge my colleagues to support Congressman FAWELL's efforts to strengthen our emergency service teams.

Mr. MARTINEZ. Mr. Speaker, I have no further requests for time.

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

Mr. MARTINEZ. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MCINNIS). The question is on the motion offered by the gentleman from Illinois [Mr. FAWELL] that the House suspend the rules and pass the bill, H.R. 849.

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

A motion to reconsider was laid on the table.

### GENERAL LEAVE

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

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

There was no objection.

### TARGHEE NATIONAL FOREST LAND EXCHANGE

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 529) to authorize the exchange of National Forest System lands in the Targhee National Forest in Idaho for non-Federal lands within the forest in Wyoming, as amended.

The Clerk read as follows:

H.R. 529

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. AUTHORIZATION OF EXCHANGE.

(a) CONVEYANCE.—Notwithstanding the requirements in the Act entitled "An Act to Consolidate National Forest Lands", approved March 20, 1922 (16 U.S.C. 485), and section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)) that Federal and non-Federal lands exchanged for each other must be located within the same State, the Secretary of Agriculture may convey the Federal lands described in section 2(a) in exchange for the non-Federal lands described in section 2(b) in accordance with the provisions of this Act.

(b) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Except as otherwise provided in this Act, the land exchange authorized by this section shall be made under the existing authorities of the Secretary.

(c) ACCEPTABILITY OF TITLE AND MANNER OF CONVEYANCE.—The Secretary shall not carry out the exchange described in subsection (a) unless the title to the non-Federal lands to be conveyed to the United States, and the form and procedures of conveyance, are acceptable to the Secretary.

#### SEC. 2. DESCRIPTION OF LANDS TO BE EXCHANGED.

(a) FEDERAL LANDS.—The Federal lands referred to in this Act are located in the Targhee National Forest in Idaho, are generally depicted on the map entitled "Targhee Exchange, Idaho-Wyoming—Proposed, Federal Land", dated September 1994, and are known as the North Fork Tract.

(b) NON-FEDERAL LANDS.—The non-Federal lands referred to in this Act are located in the Targhee National Forest in Wyoming, are generally depicted on the map entitled "Non-Federal Land, Targhee Exchange,

Idaho-Wyoming—Proposed", dated September 1994, and are known as the Squirrel Meadows Tract.

(c) MAPS.—The maps referred to in subsections (a) and (b) shall be on file and available for inspection in the office of the Targhee National Forest in Idaho and in the office of the Chief of the Forest Service.

#### SEC. 3. EQUALIZATION OF VALUES.

Prior to the exchange authorized by section 1, the values of the Federal and non-Federal lands to be so exchanged shall be established by appraisals of fair market value that shall be subject to approval by the Secretary. The values either shall be equal or shall be equalized using the following methods:

(1) ADJUSTMENT OF LANDS.—

(A) PORTION OF FEDERAL LANDS.—If the Federal lands are greater in value than the non-Federal lands, the Secretary shall reduce the acreage of the Federal lands until the values of the Federal lands closely approximate the values of the non-Federal lands.

(B) ADDITIONAL FEDERALLY-OWNED LANDS.—If the non-Federal lands are greater in value than the Federal lands, the Secretary may convey additional federally owned lands within the Targhee National Forest up to an amount necessary to equalize the values of the non-Federal lands and the lands to be transferred out of Federal ownership. However, such additional federally owned lands shall be limited to those meeting the criteria for land exchanges specified in the Targhee National Forest Land and Resource Management Plan.

(2) PAYMENT OF MONEY.—The values may be equalized by the payment of money as provided in section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

#### SEC. 4. DEFINITIONS.

For purposes of this Act:

(1) The term "Federal lands" means the Federal lands described in section 2(a).

(2) The term "non-Federal lands" means the non-Federal lands described in section 2(b).

(3) The term "Secretary" means the Secretary of Agriculture.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah [Mr. HANSEN] will be recognized for 20 minutes, and the gentleman from New Mexico [Mr. RICHARDSON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Utah [Mr. HANSEN].

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

Mr. Speaker, I rise in strong support of H.R. 529, to authorize the exchange of National Forest System lands in the Targhee National Forest in Idaho for non-Federal lands within the forest in Wyoming. Sponsored by Mr. CRAPO of Idaho, this legislation will facilitate the exchange of critical grizzly bear habitat in Wyoming for surplus Forest Service lands in Idaho. This is an equal value exchange that benefits both parties. This legislation passed the House under suspension during the 103d Congress and I urge my colleagues to support this measure once again. I thank my good friend, the gentleman from Idaho [Mr. CRAPO] for his work on this issue and look forward to its final passage.

Mr. Speaker, I yield 5 minutes to the gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. Mr. Speaker, I rise in support of H.R. 529, the Targhee National Forest Land Exchange bill.

Before I begin, I want to thank Chairman HANSEN, the subcommittee staff, and the Forest Service for the outstanding work they have done on behalf of this legislation.

Legislation which is almost identical to H.R. 529 was passed by the House of Representatives on October 3, 1994. It was unfortunate that the 103d Congress came to a close before the Senate could act on this legislation. However, I am delighted that this noncontroversial legislation is once again before the House of Representatives.

H.R. 529, as has been said by the gentleman from Utah [Mr. HANSEN], would allow the exchange of a section of property in Wyoming known as Squirrel Meadows for parcels of National Forest Service land located in Idaho. This is one of those exchanges where all parties are winners.

This legislation requires a fair and equal land exchange. This land exchange involved approximately 26 acres of National Forest System lands and 95 acres of private land owned by Ricks College.

Situated on this forest service land are several cabins owned by private citizens and a lodge, and these citizens own the cabins but not the land, and in this exchange critical grizzly bear habitat will go to the Government for protection. The private citizens will be able to purchase the land on which their cabins sit and, therefore, solidify their situation in the forest, and the Federal Government will be able to benefit, as all are involved in accomplishing an objective that each believes in and supports.

Upon completion of the land exchange, these cabin owners will be allowed to purchase the land upon which their buildings sit. Ricks College plans to use the proceeds from these land sales to purchase lands along the Yale-Kilgore Road in Island Park, ID. The acquisition of the lands along the Yale-Kilgore Road will allow Ricks College to more effectively administer its educational programs.

Within the confines of the private lands being exchanged is situation 1 grizzly bear habitat. The transfer of this private property to the ownership of the Forest Service will allow the Forest Service to protect this unique area which is capable of supporting viable grizzly bear populations.

The Forest Service has been in extended negotiations to obtain the Squirrel Meadows property for some time. This unanimously agreed upon land transfer is a prime example of private citizenry and conservation management taking the initiative to protect areas of environmental habitat importance.

Mr. Speaker, I appreciate the opportunity we have had to work with the gentlewoman from Wyoming [Mrs.

CUBIN] on this issue, with the Forest Service, Ricks College and all other interested parties to forge this agreement and to encourage support by those in the House for this legislation.

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

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

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

Mr. RICHARDSON. Mr. Speaker, H.R. 529 is a noncontroversial measure that authorizes an equal value interstate land exchange within the Targhee National Forest. Legislation is required because the Forest Service does not have authority to do land exchanges between two States. As a result of the exchange authorized by the bill, the Forest Service will receive a 95-acre portion of a pristine and scenic tract of land known as Squirrel Meadows in Wyoming. The Forest Service will exchange a developed 10-acre tract in Idaho that has numerous summer homes owned by private individuals but located on National Forest lands leased to them by the Forest Service.

H.R. 529 is similar to legislation that passed the House in the last Congress. The bill before us today has a number of amendments that have been worked out to simplify the bill. With regards to the amendment deleting section 4, this matter was to be addressed in the committee report. The second amendment incorporates language suggested by the Forest Service to correct the bill's reference on the lands available for exchange.

Mr. Speaker, I support H.R. 529, as amended, and recommend its adoption by the House.

Mr. HANSEN. Mr. Speaker, I yield back the balance of my time.

Mr. RICHARDSON. Mr. Speaker, I, too, yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah [Mr. HANSEN] that the House suspend the rules and pass the bill, H.R. 529, as amended.

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

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

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

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

There was no objection.

#### DAYTON AVIATION HERITAGE PRESERVATION ACT AMENDMENTS

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 606) to amend the Dayton Aviation Heritage Preservation Act of 1992, and for other purposes.

The Clerk read as follows:

H.R. 606

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 201(b) of the Dayton Aviation Heritage Preservation Act of 1992 (Public Law 102-419, approved October 16, 1992), is amended as follows:

(1) In paragraph (2), by striking "from recommendations" and inserting "after consideration of recommendations".

(2) In paragraph (4), by striking "from recommendations" and inserting "after consideration of recommendations".

(3) In paragraph (5), by striking "from recommendations" and inserting "after consideration of recommendations".

(4) In paragraph (6), by striking "from recommendations" and inserting "after consideration of recommendations".

(5) In paragraph (7), by striking "from recommendations" and inserting "after consideration of recommendations".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah [Mr. HANSEN] will be recognized for 20 minutes, and the gentleman from New Mexico [Mr. RICHARDSON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Utah [Mr. HANSEN].

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

Mr. Speaker, I rise in support of H.R. 606, a bill to make technical changes to the Dayton Aviation Historic Preservation Act of 1992.

This bill simply clarifies the authority of the Secretary in making appointments to the Dayton Aviation Heritage Commission. Although the language in the bill is identical to that in many other park bills, the administration is seeking these technical changes to clarify the appointment powers of the President.

The bill would have no cost and I urge my colleagues to support it.

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

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

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

Mr. RICHARDSON. Mr. Speaker, H.R. 606 is a noncontroversial bill introduced by our good friend, the gentleman from Ohio [Mr. HALL], to deal with a technical matter in the appointment of members to the Dayton Aviation Heritage Commission by the Secretary of the Interior. The appointment procedure described in the Dayton Aviation Heritage Preservation Act of 1992, while identical to that in legislation authorizing other such commissions, has drawn criticism from the administration, which has expressed concern that it undercuts the Secretary's appointment authority. For

this reason the gentleman from Ohio [Mr. HALL] introduced legislation to preclude any conflicts or concerns about the appointments to the commission.

I am pleased to see the House move on this bill. The provisions of H.R. 606 were passed by the House last Congress as part of another measure which, unfortunately, was not enacted into law.

Mr. Speaker, I support H.R. 606, I urge its adoption by the House, and I thank the Chair for helping us get this legislation moved, and I think great credit should go to the gentleman from Ohio [Mr. HALL] for pursuing this issue.

Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. HALL]. Let me mention that the gentleman from Ohio received incorrect information on the timing of this bill that we just passed on Dayton. I am going to yield to him so he can take due credit for the excellent legislation the gentleman just sponsored.

Mr. HALL of Ohio. Mr. Speaker, I rise to support H.R. 606, a bill I have introduced along with my Ohio colleagues, Representatives HOBSON and REGULA. The bill is identical to H.R. 3559, which passed the House last year, but was not considered in the Senate.

H.R. 606 would amend Public Law 102-419, the Dayton Aviation Heritage Preservation Act of 1992, which established the Dayton Aviation Heritage National Historical Park and the Dayton Aviation Heritage Commission. The purpose of the commission was to advise the National Park Service on the management of the park and assist the preservation of other significant sites throughout the Miami Valley related to the Wright brothers and aviation history.

The administration expressed a concern over the process for appointing members of the commission. This bill addresses that concern by giving the Secretary of the Interior greater discretion in appointing the members.

My community of Dayton, OH, is very proud of its role in the history of aviation. It was here the Wright brothers grew up and built the first airplane. It was also in the Dayton area that engineers at McCook Field, Wright Field, and Wright-Patterson Air Force Base made numerous contributions of national significance to aviation technology. Throughout the Miami Valley, aviation pioneers advanced the cause of flight and gave birth to the modern aerospace industry. This bill will ensure the proper functioning of the commission to help tell these stories to the Nation and to the world.

H.R. 606 has bipartisan support. It will result in no cost to the Federal Government or the State or local governments. I urge the passage of the bill.

Mr. HOBSON. Mr. Speaker, I rise today in strong support of H.R. 606, the Dayton Aviation Preservation Heritage Act Amendments, which was introduced by my colleague Congressman HALL, and of which I am a cosponsor. The legislation would make technical cor-

rections to the Dayton Aviation Heritage Preservation Act, which became law in the 102d Congress, and is identical to legislation approved by the House in the last Congress (H.R. 3559).

The Dayton Aviation Heritage Commission is a Federal entity responsible for coordinating efforts at the Federal, State, and local levels to preserve and manage the historic resources of Miami Valley, OH, which is known for its aviation history.

Public Law 102-419 established the Dayton Aviation Heritage National Historical Park and the Dayton Aviation Heritage Commission, and contained a mechanism whereby the Secretary of Interior could appoint members to the Commission. Although the appointment language in the law was identical to language used in the past to create similar such commissions, the administration found the language to be unconstitutional.

H.R. 606 amends the Dayton Aviation Heritage Preservation Act to clarify that the Secretary of Interior need only consider the recommendations of others in making appointments to the advisory commission established by that law. This legislation is clearly technical in nature and would give the Secretary of Interior greater discretion in appointing members to the Commission. Again, this legislation is identical to that which was approved by the House, but did not receive Senate consideration.

H.R. 606 is extremely important in allowing the Commission to carry out their mission—which is to work with the National Park Service in the preservation of aviation history—a significant aspect of Dayton's heritage which is associated with the Wright Brothers and the early development of aviation. I would also like to point out that there is no cost involved with this bill.

Mr. HALL and I, along with the Miami Valley community have worked together to create the Dayton Aviation Heritage Park, a park that will bring to life the story of the Wright Brothers and the place where they grew up, invented the plane, and learned to fly. This legislation is necessary to ensure the preservation of Dayton's aviation history.

Mr. Speaker, I urge support of this legislation.

Mr. HANSEN. Mr. Speaker, I yield back the balance of my time.

Mr. RICHARDSON. Mr. Speaker, I, too, yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah [Mr. HANSEN] that the House suspend the rules and pass the bill, H.R. 606.

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

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

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

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

There was no objection.

#### NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 622) to implement the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, as amended.

The Clerk read as follows:

H.R. 622

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Northwest Atlantic Fisheries Convention Act of 1995".

#### SEC. 2. REPRESENTATION OF UNITED STATES UNDER CONVENTION.

(a) COMMISSIONERS.—

(1) APPOINTMENTS, GENERALLY.—The Secretary shall appoint not more than 3 individuals to serve as the representatives of the United States on the General Council and the Fisheries Commission, who shall each—

(A) be known as a "United States Commissioner to the Northwest Atlantic Fisheries Organization"; and

(B) serve at the pleasure of the Secretary.

(2) REQUIREMENTS FOR APPOINTMENTS.—

(A) The Secretary shall ensure that of the individuals serving as Commissioners—

(i) at least 1 is appointed from among representatives of the commercial fishing industry;

(ii) 1 (but no more than 1) is an official of the Government; and

(iii) 1, other than the individual appointed under clause (ii), is a voting member of the New England Fishery Management Council.

(B) The Secretary may not appoint as a Commissioner an individual unless the individual is knowledgeable and experienced concerning the fishery resources to which the Convention applies.

(3) TERMS.—

(A) The term of an individual appointed as a Commissioner—

(i) shall be specified by the Secretary at the time of appointment; and

(ii) may not exceed 4 years.

(B) An individual who is not a Government official may not serve more than 2 consecutive terms as a Commissioner.

(b) ALTERNATE COMMISSIONERS.—

(1) APPOINTMENT.—The Secretary may, for any anticipated absence of a duly appointed Commissioner at a meeting of the General Council or the Fisheries Commission, designate an individual to serve as an Alternate Commissioner.

(2) FUNCTIONS.—An Alternate Commissioner may exercise all powers and perform all duties of the Commissioner for whom the Alternate Commissioner is designated, at any meeting of the General Council or the Fisheries Commission for which the Alternate Commissioner is designated.

(c) REPRESENTATIVES.—

(1) APPOINTMENT.—The Secretary shall appoint not more than 3 individuals to serve as the representatives of the United States on the Scientific Council, who shall each be known as a "United States Representative to the Northwest Atlantic Fisheries Organization Scientific Council".

(2) ELIGIBILITY FOR APPOINTMENT.—

(A) The Secretary may not appoint an individual as a Representative unless the individual is knowledgeable and experienced concerning the scientific issues dealt with by the Scientific Council.

(B) The Secretary shall appoint as a Representative at least 1 individual who is an official of the Government.

(3) TERM.—An individual appointed as a Representative—

(A) shall serve for a term of not to exceed 4 years, as specified by the Secretary at the time of appointment;

(B) may be reappointed; and

(C) shall serve at the pleasure of the Secretary.

(d) ALTERNATE REPRESENTATIVES.—

(1) APPOINTMENT.—The Secretary may, for any anticipated absence of a duly appointed Representative at a meeting of the Scientific Council, designate an individual to serve as an Alternate Representative.

(2) FUNCTIONS.—An Alternate Representative may exercise all powers and perform all duties of the Representative for whom the Alternate Representative is designated, at any meeting of the Scientific Council for which the Alternate Representative is designated.

(e) EXPERTS AND ADVISERS.—The Commissioners, Alternate Commissioners, Representatives, and Alternate Representatives may be accompanied at meetings of the Organization by experts and advisers.

(f) COORDINATION AND CONSULTATION.—

(1) IN GENERAL.—In carrying out their functions under the Convention, Commissioners, Alternate Commissioners, Representatives, and Alternate Representatives shall—

(A) coordinate with the appropriate Regional Fishery Management Councils established by section 302 of the Magnuson Act (16 U.S.C. 1852); and

(B) consult with the committee established under section 8 of this Act.

(2) RELATIONSHIP TO OTHER LAW.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to coordination and consultations under this subsection.

### SEC. 3. REQUESTS FOR SCIENTIFIC ADVICE.

(a) RESTRICTION.—The Representatives may not make a request or specification described in subsection (b) (1) or (2), respectively, unless the Representatives have first—

(1) consulted with the appropriate Regional Fishery Management Councils; and

(2) received the consent of the Commissioners for that action.

(b) REQUESTS AND TERMS OF REFERENCE DESCRIBED.—The requests and specifications referred to in subsection (a) are, respectively—

(1) any request, under Article VII(1) of the Convention, that the Scientific Council consider and report on a question pertaining to the scientific basis for the management and conservation of fishery resources in waters under the jurisdiction of the United States within the Convention Area; and

(2) any specification, under Article VIII(2) of the Convention, of the terms of reference for the consideration of a question referred to the Scientific Council pursuant to Article VII(1) of the Convention.

### SEC. 4. AUTHORITIES OF SECRETARY OF STATE WITH RESPECT TO CONVENTION.

The Secretary of State may, on behalf of the Government of the United States—

(1) receive and transmit reports, requests, recommendations, proposals, and other communications of and to the Organization and its subsidiary organs;

(2) object, or withdraw an objection, to the proposal of the Fisheries Commission;

(3) give or withdraw notice of intent not to be bound by a measure of the Fisheries Commission;

(4) object or withdraw an objection to an amendment to the Convention; and

(5) act upon, or refer to any other appropriate authority, any other communication referred to in paragraph (1).

### SEC. 5. INTERAGENCY COOPERATION.

(a) AUTHORITIES OF SECRETARY.—In carrying out the provisions of the Convention and this [title] Act, the Secretary may arrange for cooperation with other agencies of the United States, the States, the New England and the Mid-Atlantic Fishery Management Councils, and private institutions and organizations.

(b) OTHER AGENCIES.—The head of any Federal agency may—

(1) cooperate in the conduct of scientific and other programs, and furnish facilities and personnel, for the purposes of assisting the Organization in carrying out its duties under the Convention; and

(2) accept reimbursement from the Organization for providing such services, facilities, and personnel.

### SEC. 6. RULEMAKING.

The Secretary shall promulgate regulations as may be necessary to carry out the purposes and objectives of the Convention and this [title] Act. Any such regulation may be made applicable, as necessary, to all persons and all vessels subject to the jurisdiction of the United States, wherever located.

### SEC. 7. PROHIBITED ACTS AND PENALTIES.

(a) PROHIBITION.—It is unlawful for any person or vessel that is subject to the jurisdiction of the United States—

(1) to violate any regulation issued under this [title] Act or any measure that is legally binding on the United States under the Convention;

(2) to refuse to permit any authorized enforcement officer to board a fishing vessel that is subject to the person's control for purposes of conducting any search or inspection in connection with the enforcement of this [title] Act, any regulation issued under this [title] Act, or any measure that is legally binding on the United States under the Convention;

(3) forcibly to assault, resist, oppose, impede, intimidate, or interfere with any authorized enforcement officer in the conduct of any search or inspection described in paragraph (2);

(4) to resist a lawful arrest for any act prohibited by this section;

(5) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of, any fish taken or retained in violation of this section; or

(6) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that the other person has committed an act prohibited by this section.

(b) CIVIL PENALTY.—Any person who commits any act that is unlawful under subsection (a) shall be liable to the United States for a civil penalty, or may be subject to a permit sanction, under section 308 of the Magnuson Act (16 U.S.C. 1858).

(c) CRIMINAL PENALTY.—Any person who commits an act that is unlawful under paragraph (2), (3), (4), or (6) of subsection (a) shall be guilty of an offense punishable under section 309(b) of the Magnuson Act (16 U.S.C. 1859(b)).

(d) CIVIL FORFEITURE.—

(1) IN GENERAL.—Any vessel (including its gear, furniture, appurtenances, stores, and cargo) used in the commission of an act that is unlawful under subsection (a), and any fish (or the fair market value thereof) taken or retained, in any manner, in connection with or as a result of the commission of any act that is unlawful under subsection (a), shall be subject to seizure and forfeiture as provided in section 310 of the Magnuson Act (16 U.S.C. 1860).

(2) DISPOSAL OF FISH.—Any fish seized pursuant to this [title] Act may be disposed of pursuant to the order of a court of com-

petent jurisdiction or, if perishable, in a manner prescribed by regulations issued by the Secretary.

(e) ENFORCEMENT.—The Secretary and the Secretary of the department in which the Coast Guard is operating shall enforce the provisions of this [title] Act and shall have the authority specified in sections 311 (a), (b)(1), and (c) of the Magnuson Act (16 U.S.C. 1861 (a), (b)(1), and (c)) for that purpose.

(f) JURISDICTION OF COURTS.—The district courts of the United States shall have exclusive jurisdiction over any case or controversy arising under this section and may, at any time—

(1) enter restraining orders or prohibitions;

(2) issue warrants, process in rem, or other process;

(3) prescribe and accept satisfactory bonds or other security; and

(4) take such other actions as are in the interests of justice.

### SEC. 8. CONSULTATIVE COMMITTEE.

(a) ESTABLISHMENT.—The Secretary of State and the Secretary, shall jointly establish a consultative committee to advise the Secretaries on issues related to the Convention.

(b) MEMBERSHIP.—(1) The membership of the Committee shall include representatives from the New England and Mid-Atlantic Fishery Management Councils, the States represented on those Councils, the Atlantic States Marine Fisheries Commission, the fishing industry, the seafood processing industry, and others knowledgeable and experienced in the conservation and management of fisheries in the Northwest Atlantic Ocean.

(2) TERMS AND REAPPOINTMENT.—Each member of the consultative committee shall serve for a term of two years and shall be eligible for reappointment.

(c) DUTIES OF THE COMMITTEE.—Members of the consultative committee may attend—

(1) all public meetings of the General Council or the Fisheries Commission;

(2) any other meetings to which they are invited by the General Council or the Fisheries Commission; and

(3) all nonexecutive meetings of the United States Commissioners.

(d) RELATIONSHIP TO OTHER LAW.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the consultative committee established under this section.

### SEC. 9. ADMINISTRATIVE MATTERS.

(a) PROHIBITION ON COMPENSATION.—A person shall not receive any compensation from the Government by reason of any service of the person as—

(1) a Commissioner, Alternate Commissioner, Representative, or Alternative Representative;

(2) an expert or adviser authorized under section 202(e); or

(3) a member of the consultative committee established by section 8.

(b) TRAVEL AND EXPENSES.—The Secretary of State shall, subject to the availability of appropriations, pay all necessary travel and other expenses of persons described in subsection (a)(1) and of not more than six experts and advisers authorized under section 2(e) with respect to their actual performance of their official duties pursuant to this [title] Act, in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(c) STATUS AS FEDERAL EMPLOYEES.—A person shall not be considered to be a Federal employee by reason of any service of the person in a capacity described in subsection (a), except for purposes of injury compensation and tort claims liability under chapter 81 of title 5, United States Code, and chapter 17 of title 28, United States Code, respectively.

**SEC. 10. DEFINITIONS.**

In this [title] Act the following definitions apply:

(1) **AUTHORIZED ENFORCEMENT OFFICER.**—The term “authorized enforcement officer” means a person authorized to enforce this [title] Act, any regulation issued under this [title] Act, or any measure that is legally binding on the United States under the Convention.

(2) **COMMISSIONER.**—The term “Commissioner” means a United States Commissioner to the Northwest Atlantic Fisheries Organization appointed under section 2(a).

(3) **CONVENTION.**—The term “Convention” means the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, done at Ottawa on October 24, 1978.

(4) **FISHERIES COMMISSION.**—The term “Fisheries Commission” means the Fisheries Commission provided for by Articles II, XI, XII, XIII, and XIV of the Convention.

(5) **GENERAL COUNCIL.**—The term “General Council” means the General Council provided for by Article II, III, IV, and V of the Convention.

(6) **MAGNUSON ACT.**—The term “Magnuson Act” means the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(7) **ORGANIZATION.**—The term “Organization” means the Northwest Atlantic Fisheries Organization provided for by Article II of the Convention.

(8) **PERSON.**—The term “person” means any individual (whether or not a citizen or national of the United States), and any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State).

(9) **REPRESENTATIVE.**—The term “Representative” means a United States Representative to the Northwest Atlantic Fisheries Scientific Council appointed under section 2(c).

(10) **SCIENTIFIC COUNCIL.**—The term “Scientific Council” means the Scientific Council provided for by Articles II, VI, VII, VIII, IX, and X of the Convention.

(11) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

**SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out this [title] Act, including use for payment as the United States contribution to the Organization as provided in Article XVI of the Convention, \$500,000 for each of the fiscal years 1995, 1996, 1997, and 1998.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] will be recognized for 20 minutes, and the gentleman from Massachusetts [Mr. STUDDS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

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

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

Mr. Speaker, I rise in support of H.R. 622, noncontroversial legislation pending before us today.

H.R. 622 is the implementation of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries. This bill was introduced by the ranking minority member of the Fisheries, Wildlife and Oceans Subcommittee, Mr. STUDDS.

H.R. 622 would authorize U.S. participation in the North Atlantic Fisheries Organization—also known as NAFO.

The NAFO is an international body established by convention in 1978 to oversee certain fisheries existing beyond the 200-mile territorial seas of the United States, Canada, and Greenland in the northwest Atlantic. The United States participated in the negotiations and signed the original convention. While the other body consented to membership to NAFO in 1983, Congress never enacted implementing legislation to allow full participation in the organization. And while U.S. fishermen must abide by the NAFO treaty, these same fishermen are unable to formally participate in the process that results in the treaty. This legislation would allow just that.

Once again, this is a noncontroversial bill and I ask for your support.

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

□ 1500

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

Mr. Speaker, I rise in strong support of H.R. 622, legislation to implement the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries.

Two weeks ago, I stood in this spot describing for Members the drastic decline of commercial fisheries worldwide, and the need for all coastal nations to participate in international agreements and organizations that provide for the responsible conversation and management of high seas resources. Demonstrating the U.S. commitment to such an effort, the legislation we passed that day encouraged the development of a multilateral management agreement for pollock stocks in the north Pacific.

Similarly, the bill we are considering today, H.R. 622, would authorize U.S. participation in NAFO, an international body established by convention in 1978 to manage certain valuable high seas fisheries in the northwest Atlantic. Seventeen nations are party to this convention. While the U.S. participated in the negotiation for NAFO, signed the original convention, and the Senate consented to membership in 1983, Congress has never enacted implementing legislation to allow full participation in the organization.

In the past, U.S. fishermen have had little interest in fishing in the NAFO regulatory area, so membership was not crucial. Recently, however, U.S. fishing vessels have begun harvesting fish in the NAFO area. Complicating this situation, is the fact that the United States is about to implement a high seas fisheries treaty adopted at the United Nations in November 1993. That treaty would prohibit our vessels from fishing in the NAFO area unless we are party to the NAFO convention. As a result, joining NAFO is not only the responsible thing to do, it is essen-

tial if our fishermen are to have any hope of access to the area in the future.

By requiring the United States to work cooperatively in an area of the ocean where fisheries important to our own fishermen exist, H.R. 622 is the second bill we will pass in 2 weeks that signals U.S. dedication to multilateral management of high seas resources, it is good for the fish and the fishermen, and I urge Members to support it.

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

Mr. YOUNG of Alaska. Mr. Speaker, my colleague from Massachusetts, Mr. STUDDS, has introduced H.R. 622, a bill to implement the Convention on Future Multilateral Cooperation in Northwest Atlantic Fisheries. This legislation will allow the United States to become a member of the Northwest Atlantic Fisheries Organization [NAFO].

Currently, the United States is not an active member in NAFO, even though we were involved in the negotiations which created this organization in 1978. Since this organization is active in recommending how resources that are harvested by U.S. fishermen are being managed and conserved, I support H.R. 622. This legislation will give the administration a more active role in NAFO's management and conservation recommendations, while giving U.S. fishermen greater access to the organization's research.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the bill, H.R. 622, as amended.

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

A motion to reconsider was laid on the table.

**GENERAL LEAVE**

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include extraneous material on H.R. 622, as amended, the bill just passed.

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

There was no objection.

**FORT CARSON-PINON CANYON MILITARY LANDS WITHDRAWAL ACT**

Mr. HEFLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 256) to withdraw and reserve certain public lands and minerals within the State of Colorado for military uses, and for other purposes.

The Clerk read as follows:

H.R. 256

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the "Fort Carson-Pinon Canyon Military Lands Withdrawal Act".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Withdrawal and reservation of lands at Fort Carson Military Reservation.
- Sec. 3. Withdrawal and reservation of lands at Pinon Canyon Maneuver Site.
- Sec. 4. Maps and legal descriptions.
- Sec. 5. Management of withdrawn lands.
- Sec. 6. Management of withdrawn and acquired mineral resources.
- Sec. 7. Hunting, fishing, and trapping.
- Sec. 8. Termination of withdrawal and reservation.
- Sec. 9. Determination of presence of contamination and effect of contamination.
- Sec. 10. Delegation.
- Sec. 11. Hold harmless.
- Sec. 12. Amendment to Military Lands Withdrawal Act of 1986.
- Sec. 13. Authorization of appropriations.

## **SEC. 2. WITHDRAWAL AND RESERVATION OF LANDS AT FORT CARSON MILITARY RESERVATION.**

(a) **WITHDRAWAL.**—Subject to valid existing rights and except as otherwise provided in this Act, the lands at the Fort Carson Military Reservation, Colorado, that are described in subsection (c) are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral and geothermal leasing laws, and the mineral materials disposal laws.

(b) **RESERVATION.**—The lands withdrawn under subsection (a) are reserved for use by the Secretary of the Army—

(1) for military maneuvering, training and weapons firing; and

(2) for other defense related purposes consistent with the uses specified in paragraph (1).

(c) **LAND DESCRIPTION.**—The lands referred to in subsection (a) comprise 3,133.02 acres of public land and 11,415.16 acres of federally-owned minerals in El Paso, Pueblo, and Fremont Counties, Colorado, as generally depicted on the map entitled "Fort Carson Proposed Withdrawal—Fort Carson Base", dated February 6, 1992, and published in accordance with section 4.

## **SEC. 3. WITHDRAWAL AND RESERVATION OF LANDS AT PINON CANYON MANEUVER SITE.**

(a) **WITHDRAWAL.**—Subject to valid existing rights and except as otherwise provided in this Act, the lands at the Pinon Canyon Maneuver Site, Colorado, that are described in subsection (c) are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral and geothermal leasing laws, and the mineral materials disposal laws.

(b) **RESERVATION.**—The lands withdrawn under subsection (a) are reserved for use by the Secretary of the Army—

(1) for military maneuvering and training; and

(2) for other defense related purposes consistent with the uses specified in paragraph (1).

(c) **LAND DESCRIPTION.**—The lands referred to in subsection (a) comprise 2,517.12 acres of public lands and 130,139 acres of federally-owned minerals in Las Animas County, Colo-

rado, as generally depicted on the map entitled "Fort Carson Proposed Withdrawal—Fort Carson Maneuver Area—Pinon Canyon site", dated February 6, 1992, and published in accordance with section 4.

## **SEC. 4. MAPS AND LEGAL DESCRIPTIONS.**

(a) **PREPARATION OF MAPS AND LEGAL DESCRIPTION.**—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall prepare maps depicting the lands withdrawn and reserved by this Act and publish in the Federal Register a notice containing the legal description of such lands.

(b) **LEGAL EFFECT.**—Such maps and legal descriptions shall have the same force and effect as if they were included in this Act, except that the Secretary of the Interior may correct clerical and typographical errors in such maps and legal descriptions.

(c) **AVAILABILITY OF MAPS AND LEGAL DESCRIPTION.**—Copies of such maps and legal descriptions shall be available for public inspection in the offices of the Colorado State Director and the Canon City District Manager of the Bureau of Land Management and in the offices of the Commander of Fort Carson, Colorado.

(d) **COSTS.**—The Secretary of the Army shall reimburse the Secretary of the Interior for the costs of implementing this section.

## **SEC. 5. MANAGEMENT OF WITHDRAWN LANDS.**

(a) **MANAGEMENT GUIDELINES.**—

(1) **MANAGEMENT BY SECRETARY OF THE ARMY.**—Except as provided in section 6, during the period of withdrawal, the Secretary of the Army shall manage for military purposes the lands covered by this Act and may authorize use of the lands by the other military departments and agencies of the Department of Defense, and the National Guard, as appropriate.

(2) **ACCESS RESTRICTIONS.**—When military operations, public safety, or national security, as determined by the Secretary of the Army, require the closure of roads and trails on the lands withdrawn by this Act commonly in public use, the Secretary of the Army is authorized to take such action, except that such closures shall be limited to the minimum areas and periods required for the purposes specified in this subsection. Appropriate warning notices shall be kept posted during closures.

(3) **SUPPRESSION OF FIRES.**—The Secretary of the Army shall take necessary precautions to prevent and suppress brush and range fires occurring within and outside the lands as a result of military activities and may seek assistance from the Bureau of Land Management in suppressing such fires. The memorandum of understanding required by this section shall provide for Bureau of Land Management assistance in the suppression of such fires, and for a transfer of funds from the Department of the Army to the Bureau of Land Management as compensation for such assistance.

(b) **MANAGEMENT PLAN.**—

(1) **DEVELOPMENT REQUIRED.**—The Secretary of the Army, with the concurrence of the Secretary of the Interior, shall develop a plan for the management of acquired lands and lands withdrawn under sections 2 and 3 for the period of withdrawal. The plan shall—

(A) be consistent with applicable law;

(B) include such provisions as may be necessary for proper resource management and protection of the natural, cultural, and other resources and values of such lands; and

(C) identify those withdrawn and acquired lands, if any, which are to be open to mining or mineral and geothermal leasing, including mineral materials disposal.

(2) **TIME FOR DEVELOPMENT.**—The management plan required by this subsection shall

be developed not later than 5 years after the date of the enactment of this Act.

(c) **IMPLEMENTATION OF MANAGEMENT PLAN.**—

(1) **MEMORANDUM OF UNDERSTANDING REQUIRED.**—The Secretary of the Army and the Secretary of the Interior shall enter into a memorandum of understanding to implement the management plan developed under subsection (b).

(2) **DURATION.**—The duration of any such memorandum of understanding shall be the same as the period of withdrawal specified in section 8(a).

(3) **AMENDMENT.**—The memorandum of understanding may be amended by agreement of both Secretaries.

(d) **USE OF CERTAIN RESOURCES.**—The Secretary of the Army is authorized to utilize sand, gravel, or similar mineral or mineral material resources from the lands withdrawn by this Act when the use of such resources is required for construction needs of the Fort Carson Reservation or Pinon Canyon Maneuver Site.

## **SEC. 6. MANAGEMENT OF WITHDRAWN AND ACQUIRED MINERAL RESOURCES.**

Except as provided in section 5(d), the Secretary of the Interior shall manage all withdrawn and acquired mineral resources within the boundaries of the Fort Carson Military Reservation and Pinon Canyon Maneuver Site in the same manner as provided in section 12 of the Military Lands Withdrawal Act of 1986 (Public Law 99-606; 100 Stat. 3466) for mining and mineral leasing on certain lands withdrawn by that Act from all forms of appropriation under the public land laws.

## **SEC. 7. HUNTING, FISHING, AND TRAPPING.**

All hunting, fishing, and trapping on the lands withdrawn and reserved by this Act shall be conducted in accordance with section 2671 of title 10, United States Code.

## **SEC. 8. TERMINATION OF WITHDRAWAL AND RESERVATION.**

(a) **TERMINATION DATE.**—The withdrawal and reservation made by this Act shall terminate 15 years after the date of the enactment of this Act.

(b) **DETERMINATION OF CONTINUING MILITARY NEED.**—

(1) **DETERMINATION REQUIRED.**—At least three years before the termination under subsection (a) of the withdrawal and reservation established by this Act, the Secretary of the Army shall advise the Secretary of the Interior as to whether or not the Department of the Army will have a continuing military need for any of the lands after the termination date.

(2) **METHOD OF MAKING DETERMINATION.**—If the Secretary of the Army concludes under paragraph (1) that there will be a continuing military need for any of the lands after the termination date established by subsection (a), the Secretary of the Army, in accordance with applicable law, shall—

(A) evaluate the environmental effects of renewal of such withdrawal and reservation;

(B) hold at least one public hearing in Colorado concerning such evaluation; and

(C) file, after completing the requirements of subparagraphs (A) and (B), an application for extension of the withdrawal and reservation of such lands in accordance with the regulations and procedures of the Department of the Interior applicable to the extension of withdrawals for military uses.

(3) **NOTIFICATION.**—The Secretary of the Interior shall notify the Congress concerning a filing under paragraph (3)(C).

(c) **EARLY RELINQUISHMENT OF WITHDRAWAL.**—If the Secretary of the Army concludes under subsection (b) that before the termination date established by subsection (a) there will be no military need for all or any part of the lands withdrawn and reserved



by this Act, or if, during the period of withdrawal, the Secretary of the Army otherwise decides to relinquish any or all of the lands withdrawn and reserved under this Act, the Secretary of the Army shall file with the Secretary of the Interior a notice of intention to relinquish such lands.

(d) **ACCEPTANCE OF LANDS PROPOSED FOR RELINQUISHMENT.**—Notwithstanding any other provision of law, the Secretary of the Interior, upon deciding that it is in the public interest to accept jurisdiction over the lands proposed for relinquishment, may revoke the withdrawal and reservation established by this Act as it applies to the lands proposed for relinquishment. Should the decision be made to revoke the withdrawal and reservation, the Secretary of the Interior shall publish in the Federal Register an appropriate order which shall—

(1) terminate the withdrawal and reservation;

(2) constitute official acceptance of full jurisdiction over the lands by the Secretary of the Interior; and

(3) state the date upon which the lands will be opened to the operation of the public land laws, including the mining laws if appropriate.

#### **SEC. 9. DETERMINATION OF PRESENCE OF CONTAMINATION AND EFFECT OF CONTAMINATION.**

(a) **DETERMINATION OF PRESENCE OF CONTAMINATION.**—

(1) **BEFORE RELINQUISHMENT NOTICE.**—Before filing a relinquishment notice under section 8(c), the Secretary of the Army shall prepare a written determination as to whether and to what extent the lands to be relinquished are contaminated with explosive, toxic, or other hazardous materials. A copy of the determination made by the Secretary of the Army shall be supplied with the relinquishment notice. Copies of both the relinquishment notice and the determination under this subsection shall be published in the Federal Register by the Secretary of the Interior.

(2) **UPON TERMINATION OF WITHDRAWAL.**—At the expiration of the withdrawal period made by this Act, the Secretary of the Interior shall determine whether and to what extent the lands withdrawn by this Act are contaminated to an extent which prevents opening such contaminated lands to operation of the public land laws.

(b) **PROGRAM OF DECONTAMINATION.**—

(1) **IN GENERAL.**—Throughout the duration of the withdrawal and reservation made by this Act, the Secretary of the Army, to the extent funds are made available, shall maintain a program of decontamination of the lands withdrawn by this Act at least at the level of effort carried out during fiscal year 1992.

(2) **DECONTAMINATION OF LANDS TO BE RELINQUISHED.**—In the case of lands subject to a relinquishment notice under section 8(c) that are contaminated, the Secretary of the Army shall decontaminate the land to the extent that funds are appropriated for such purpose if the Secretary of the Interior, in consultation with the Secretary of the Army, determines that—

(A) decontamination of the lands is practicable and economically feasible, taking into consideration the potential future use and value of the land; and

(B) upon decontamination, the land could be opened to the operation of some or all of the public land laws, including the mining laws.

(c) **AUTHORITY OF SECRETARY OF THE INTERIOR TO REFUSE CONTAMINATED LANDS.**—The Secretary of the Interior shall not be required to accept lands proposed for relinquishment if the Secretary of the Army and the Secretary of the Interior conclude that—

(1) decontamination of any or all of the lands proposed for relinquishment is not practicable or economically feasible;

(2) the lands cannot be decontaminated sufficiently to allow them to be opened to the operation of the public land laws; or

(3) insufficient funds are appropriated for the purpose of decontaminating the lands.

(d) **EFFECT OF CONTINUED CONTAMINATION.**—If the Secretary of the Interior declines under subsection (c) to accept jurisdiction of lands proposed for relinquishment or if the Secretary of the Interior determines under subsection (a)(2) that some of the lands withdrawn by this Act are contaminated to an extent that prevents opening the contaminated lands to operation of the public land laws—

(1) the Secretary of the Army shall take appropriate steps to warn the public of the contaminated state of such lands and any risks associated with entry onto such lands;

(2) after the expiration of the withdrawal, the Secretary of the Army shall undertake no activities on such lands except in connection with decontamination of such lands; and

(3) the Secretary of the Army shall report to the Secretary of the Interior and to the Congress concerning the status of such lands and all actions taken under paragraphs (1) and (2).

(e) **EFFECT OF SUBSEQUENT DECONTAMINATION.**—If the lands described in subsection (d) are subsequently decontaminated, upon certification by the Secretary of the Army that the lands are safe for all nonmilitary uses, the Secretary of the Interior shall reconsider accepting jurisdiction over the lands.

(f) **EFFECT ON OTHER LAWS.**—Nothing in this Act shall affect, or be construed to affect, the obligations of the Secretary of the Army, if any, to decontaminate lands withdrawn by this Act pursuant to applicable law, including the Comprehensive Environmental Response Compensation and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

#### **SEC. 10. DELEGATION.**

The functions of the Secretary of the Army under this Act may be delegated. The functions of the Secretary of the Interior under this Act may be delegated, except that the order referred to in section 8(d) may be approved and signed only by the Secretary of the Interior, the Deputy Secretary of the Interior, or an Assistant Secretary of the Department of the Interior.

#### **SEC. 11. HOLD HARMLESS.**

(a) **IN GENERAL.**—The United States shall be held harmless and shall not be liable for any injuries or damages to persons or property suffered in the course of any mining, mineral activity, or geothermal leasing activity conducted on lands comprising the Fort Carson Reservation or Pinon Canyon Maneuver Site, including liabilities to non-Federal entities under section 107 or 113 of the Comprehensive Environmental Response Compensation and Liability Act of 1980 (42 U.S.C. 9607, 9613), or section 7003 of the Solid Waste Disposal Act (42 U.S.C. 6973).

(b) **INDEMNIFICATION.**—Any party conducting any mining, mineral, or geothermal leasing activity on lands comprising the Fort Carson Reservation or Pinon Canyon Maneuver Site shall indemnify the United States against any costs, fees, damages, or other liabilities (including costs of litigation) incurred by the United States and arising from or relating to such mining activities, including costs of mineral materials disposal, whether arising under the Comprehensive Environmental Response Compensation and Liability Act of 1980, the Solid Waste Disposal Act, or otherwise.

#### **SEC. 12. AMENDMENT TO MILITARY LANDS WITHDRAWAL ACT OF 1986.**

(a) **USE OF CERTAIN RESOURCES.**—Section 3(f) of the Military Lands Withdrawal Act of 1986 (Public Law 99-606; 100 Stat. 3461) is amended by adding at the end the following new paragraph:

“(2) Subject to valid existing rights, the Secretary of the military department concerned may utilize sand, gravel, or similar mineral or material resources when the use of such resources is required for construction needs on the respective lands withdrawn by this Act.”.

(b) **TECHNICAL CORRECTION.**—Section 9(b) of the Military Lands Withdrawal Act of 1986 (Public Law 99-606; 100 Stat. 3466) is amended by striking “section 7(f)” and inserting in lieu thereof “section 8(f)”.

#### **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado [Mr. HEFLEY] will be recognized for 20 minutes, and the gentleman from New Mexico [Mr. RICHARDSON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Colorado [Mr. HEFLEY].

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

Mr. Speaker, at the outset, I would like to thank my colleagues on the National Security Committee and the Resources Committee, particularly Chairman SPENCE, Chairman YOUNG, and ranking minority members, DELLUMS and MILLER, for their willingness to consider H.R. 256 early in this session.

H.R. 256 would withdraw and reserve certain public lands and minerals within El Paso, Pueblo, Teller, and Las Animas Counties in Colorado for military purposes. The bill would withdraw 3,133 acres of public lands and minerals and another 11,415 acres of public domain mineral estate within the existing Fort Carson Military Reservation. The bill would also withdraw 2,517 acres of surface land and 130,139 acres of minerals at the associated Pinon Canyon maneuver site.

Since the 1930's, the Army has used the lands on which Fort Carson was established, and the Pinon Canon maneuver site has been in use since the early 1980's. The legislation will help provide the space necessary to improve training for our Armed Forces. The principal uses of the withdrawn acreage will be for mechanized training at battalion and brigade levels with related maneuvering, training, and weapons firing. I want to note, however, that no weapons firing will be conducted at Pinon Canyon due to environmental constraints.

The Department of the Army and the Department of the interior have renewed the withdrawal of mineral rights controlled by the Bureau of Land Management every 5 years. The previous withdrawal expired on June 23, 1993. The BLM has argued that these 5-year withdrawals are too short, since environmental assessment work leading up to the renewals take about 8 years. Thus, the bill before the House includes



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

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

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

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

I urge my colleagues to support this legislation.

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

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

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

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

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

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

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

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

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

that we can get it passed and move on to other things.

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

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

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

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

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

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

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

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

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

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

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

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

There was no objection.

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

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

The Clerk read the resolution, as follows:

H. RES. 116

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pur-

suant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the joint resolution (H.J. Res. 73) proposing an amendment to the Constitution of the United States with respect to the number of terms of office of Members of the Senate and the House of Representatives. The first reading of the joint resolution shall be dispensed with. General debate shall be confined to the joint resolution and shall not exceed three hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the joint resolution shall be considered for amendment under the five-minute rule. The joint resolution shall be considered as read. No amendment shall be in order except those specified in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order specified in the report, may be offered only by a Member designated in the report, may be considered notwithstanding the adoption of a previous amendment in the nature of a substitute, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. If more than one amendment is adopted, then only the one receiving the greater number of affirmative votes shall be considered as finally adopted. In the case of a tie for the greater number of affirmative votes, then only the last amendment to receive that number of affirmative votes shall be considered as finally adopted. At the conclusion of consideration of the joint resolution for amendment the Committee shall rise and report the joint resolution to the House with such amendment as may have been finally adopted. The previous question shall be considered as ordered on the joint resolution and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

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

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

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

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

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

The fundamental, bottom line distinction that will be drawn in this process is the one most Americans are watching for: Who supports term limits for Congress. We can expect a fair amount of ducking and weaving by those Members who want to appear committed to term limits but might prefer that term limits disappear without enough votes for passage. Americans should not be fooled by the attempt of long-time term limits opponents to change the subject to one of so-called retroactivity. Americans should consider the source of that proposal. Keep in mind that most of its

sponsors and those senior, status-quo Democrats who will speak up for it have never supported term limits, have never introduced such a bill, and did nothing when their party controlled this House to move that debate to the floor. It is a smokescreen and it should be defeated.

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

□ 1615

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Those of us from California have also observed what has happened in the California State Legislature, which now has a 6-year term limit. Knowing

that they cannot stay for more than a very few years, legislators come into office looking for ways to use their short stint to make their next career move.

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

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

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

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

cessary, we are now poised to vote on them.

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

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

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

#### OPEN RULE—6

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

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

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

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

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

#### DISCHARGE OF CONSTITUTIONAL AMENDMENT—2

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

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

#### SUSPENSION—2

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

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

#### KING-OF-THE-HILL—4

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

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

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

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

#### FLOOR PROCEDURE IN THE 104TH CONGRESS

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

## FLOOR PROCEDURE IN THE 104TH CONGRESS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
S. 2	Senate Compliance	N/A	Closed: Put on suspension calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive: makes in order only the Gibbons amendment; waives all points of order; Contains self-executing provision.	10.
H.R. 830	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive: makes in order only the Obey substitute	10.
H.R. 450	Regulatory Moratorium	H. Res. 93	Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022	Risk Assessment	H. Res. 96	Restrictive: 10 hr. Time Cap on amendments	N/A.
H.R. 926	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925	Private Property Protection Act	H. Res. 101	Restrictive: 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	10.
H.R. 1058	Securities Litigation Reform Act	H. Res. 105	Restrictive: 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	10.
H.R. 988	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive: 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956	Product Liability and Legal Reform Act	H. Res. 109	Restrictive: makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	80; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive: Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) of rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73	Term Limits	H. Res. 116	Restrictive: Makes in order only 4 amendments considered under a "Queen of the Hill" procedure and denies 21 germane amendments from being considered.	1D; 3R.
H.R. 4	Welfare Reform	H. Res. 119	Restrictive: Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a "Queen of the Hill" procedure; All points of order are waived against the amendments.	5D; 26R.

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

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

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

□ 1530

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

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

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

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

I support term limits and personally believe that our Founding Fathers never intended for there to be a perma-

nent governing class that would rule from Washington and lose touch with the citizens they were elected to represent. But that is not what we are debating here today. We are debating a rule that will allow the U.S. House of Representatives its first opportunity ever to hold ample discussions about the merits of limiting our service in this body.

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

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

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

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

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

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

It was the feeling of the Founding Fathers that those decisions should be left to the voters, a wise judgment and one which I always supported. The de-

cision not to include term limits in the Constitution was based upon free and open debate. Regrettably, we will not see free and open debate here because the Rules Committee has only permitted that four amendments will be available to the legislation before us. So, again, we have a rule which, as all will note is closed again.

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

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

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

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

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

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

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

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

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

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

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

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

Because if we do not give them that opportunity, then for all practical purposes, they will not have the opportunity for their voice to be heard and heard indeed it must, because the people of this country are tired of business as usual. They are tired of the status

quo. They rose up on November 8 of last year and said, We want change; we want it now. We do not want to wait for eons or decades or years. We want change now. And today this hour, this evening and this week we are going to give them that change in this body by fully and fairly and openly debating whether or not the people of this country deserve to be able to themselves decide, as our Founding Fathers believed they have the right to decide, whether or not to have term limits.

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

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

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

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

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

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

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

I could debate the substance of this, too. And I guess we are, sometime a little later on, going to debate the substance of it. One of the things I thought we ought to do, maybe we

ought to talk about at that time is tattooing on everybody's forehead their spoil date when they get elected so we can remind people when we are supposed to rot. This is kind of an amendment saying that all of us will rot after 6 years or 8 years or 12 years or whatever in public office.

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

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

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

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

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

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

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

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

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

I think that opportunity is present.

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

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

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

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

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

□ 1545

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

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

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

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

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

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

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

In addition, under this rule Members will have the opportunity to vote on my amendment, which is the only one that clearly protects the term limit

laws enacted in 22 States in this country. Thousands of dedicated individuals gathered signatures on petitions in parking lots all across the country. Twenty-five million people have cast ballots in favor of imposing term limits on Members of Congress from their States.

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

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

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

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

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

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

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

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

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

Members of this House who will be operating under those statutes of the 22 States, and possibly somewhere in excess of 160 of them may already have their terms expired.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The American people have become increasingly disillusioned with their elected officials, and with good cause. Despite the fact that 8 out of 10 Americans support term limits, for years the Democrat-controlled Congress ignored the will of the people and arrogantly refused to even debate the issue.

But, when the American people swept a new majority into the House for the first time in 40 years, they were assured that not only would Congress debate the issue, we would bring it to a vote within the first 100 days. Today we are here to fulfill that promise.

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

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

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

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

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

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

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

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

You see, the Republicans promised the American people a vote on term limits in the Contract With America. But ever since the elections, they have approached the pending term limits

vote just like Goldilocks tested her porridge in the bears' cabin.

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

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

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

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

□ 1600

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

tion now on this critical issue. I urge an "aye" vote on the rule.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Finally, this rule totally denigrates the Judiciary Committee. The committee reported bill is not even made in

order. The entire purpose of committees is to refine issues in a manner proper for floor consideration. This makes a mockery of that.

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

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

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

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

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

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

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

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

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

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

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

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

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

My Democratic colleagues are not the ones who ran for Congress on the

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

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

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

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

□ 1615

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thos. Mifflin, pres. Continental Congress (answered with reverence.) Having defended

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

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

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

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

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

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

That is something they seem to be saying.

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

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

I urge approval of the rule.

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

And we do so under a fair and balanced rule which recognizes the seriousness of writing term limits into our Constitution. On March 15, the Committee on Rules granted a rule that provides for 3 hours of general debate. Following general debate, four amendments in the nature of a substitute will be considered for 1 hour each under a true "king-of-the-hill" process—which means that the amendment receiving the most affirmative votes is considered as adopted and reported back to the House. This is a responsible rule, Mr. Speaker. Debate on the four substitutes, and the customary motion to recommit afforded to the

minority, will allow the House to address the major issues associated with term limits, issues such as how many terms are appropriate, should States be permitted to set lower limits, and when should the term limitation take effect.

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

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

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

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

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## RECESS

The SPEAKER pro tempore (Mr. RIGGS). Pursuant to clause 12, rule I, the Chair declares the House in recess until 5 p.m.

Accordingly (at 4 o'clock and 20 minutes p.m.) the House stood in recess until 5 p.m.

□ 1704

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. EWING] at 5 o'clock and 4 minutes p.m.

# APPOINTMENT OF CONFEREES ON H.R. 889, EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS FOR THE DEPARTMENT OF DEFENSE FOR FISCAL YEAR 1995

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 889, be instructed to form a conference agreement that does not add to the national deficit in the current fiscal year and cumulatively through fiscal year 1999.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes, and the gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I yield myself 8 minutes.

Mr. Speaker, under ordinary circumstances, I would not be here making this motion that I am making today, because I think that under ordinary circumstances the administration would have every right to request an emergency appropriation for these items and the Congress would have every right to consider them on an emergency basis. In plain language, considering them on an emergency basis means that we would not have to offset the expenditures in this bill, and they could be treated as an emergency and could, therefore, add to the deficit and still be within the rules of the House.

The problem, however, is that while I personally feel that under normal circumstances it would be perfectly appropriate for these items not to be offset, I do not think we are operating under ordinary circumstances. In fact, we have seen this House pass a constitutional amendment to balance the budget, even though the other body has not concurred, and we have seen a great deal of effort expended over the past 60 days on efforts that were described as efforts to "reduce the deficit." But in fact those efforts have not done that.

So I am offering this proposal today in the spirit of truth in advertising. It simply directs the House conferees to produce a conference report that does not add to the deficit, period. Now, we have had two recent examples that illustrate the need for the motion which I am making today.

First of all, when this bill first passed the House, we were told by the committee that even though the bill was not balanced on the outlay side, it was in fact balanced in budget authority and did not add to the deficit.

The problem, however, is that after the bill passed, the committee's own documents which the committee produced showed that the bill added over \$250 million in outlays and \$186 million in budget authority to the deficit, and over 5 years, added to the deficit to the tune of \$650 million. So I think that was misstatement No. 1 on the way to a so-called balanced budget.

Last week on the rescission bill, in order to get the votes for the rescission bill that targeted kids and old folks for major reductions, the Republican leadership said, after first having all of the Republicans vote against the Murtha amendment in committee, the Republican leadership then did an about face and indicated that they would in fact use the dollars produced in that rescission bill last week, the dollars that were not going to be used for the California earthquake relief, that they would use the remainder of those dollars for deficit reduction. But after the rule had passed, the chairman of the Committee on the Budget then was reported to say that the action in indicating that those funds would be used to reduce the deficit was just a game, and that in fact they were going to be allocated to finance the tax cuts, which contain a number of items which many of us on this side of the aisle feel are simply rewards for the wealthy that we cannot afford at a time of multibillion-dollar deficits.

Despite the fact that that money which was indicated would go for deficit reduction for one day, and then was later used for tax cuts, we were still given lectures about deficit reduction. It seems to me what we need to do is to cut through those lectures and get to a real intent to reduce the deficit, or at least certainly not to add to it.

This bill itself was produced out of subcommittee 1 day after the House passed the balanced budget constitu-

tional amendment, and the bill as it left the committee, as I said, added significantly to the deficit, some \$650 million over 5 years.

In contrast to the House bill, the Senate bill, which we will meet when we go to conference, is fully offset. It does not add one dime to the deficit, and in my view, if the other body can produce a bill for conference which does not add one dime to the deficit, the House ought to be able to do the same thing.

Now, this motion makes one concession. It does not even require that all of the amounts be totally offset within the defense function of the budget. It simply says that all of the funds should be offset, period. While I certainly do not approve of using domestic reductions in order to offset Defense Department add-ons, as an indication of conciliatory spirit I am willing to offer a motion that simply says the funds should be fully offset so they do not add one dime to the deficit.

Mr. Speaker, it just seems to me that after the House has, in my view, been misled twice about whether or not funds in legislation before this House would add to the deficit or would reduce the deficit, it seems to me, after the House has been misled twice on it, the House finally needs to make a statement with great clarity that we do not want this process used to in any way add to the deficit.

As I said originally, under ordinary circumstances, absent the great pressure on the deficit and absent the House action in passing the constitutional amendment on the balanced budget, I would not be here insisting that this bill be fully offset, because I think in the real world there are emergencies which require emergency treatment. But the House has indicated that it is going to be in pursuit of deficit reduction, and it seems to me if that is the case, we ought to get on to it, and we certainly should not produce a conference report which will add to the deficit either on the budget authority side or the outlay side. That is the reason I make this motion this afternoon.

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

## GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks, and that I might include tabular and extraneous material.

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

There was no objection.

Mr. LIVINGSTON. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I rise to oppose the motion to instruct conferees. The gentleman's motion would instruct the conferees to bring back a conference agreement that was offset not only in budget authority, but in outlays as

well. This instruction would indeed inhibit the full and free nature of the conference.

My friend, the gentleman from Florida [Mr. YOUNG], who sits here, has pointed out that the gentleman who just spoke before me, the distinguished ranking minority member of the committee, often talks about posing for holy pictures. I have to say that I think that this motion to instruct is kind of an exercise in connoisseurship of holy pictures.

In just the last 2 months this Republican majority has done more than almost all the previous Congresses to provide offsets. Never before has the Democrat majority in previous Congresses ever offset a supplemental request of any magnitude.

The fact is that the Senate amendments to H.R. 889 contain many spending reductions that are going to be unacceptable to the House. If the conferees are instructed to achieve outlay neutrality, then there must be a source of acceptable spending reductions. I think it will be very difficult to find such a source in the Senate amendments. The only other way to find acceptable spending cuts would be to go beyond the scope of the bill and the Senate amendments. We should not accept an instruction that encourages that approach.

□ 1715

Mr. Speaker, the gentleman from Louisiana is strongly for deficit reduction. I think the record of the Committee on Appropriations, as I have pointed out, for the 104th Congress speaks for itself in this area. The House has already passed over \$20 billion of spending reductions. When viewed in total we have more than offset over \$8.7 billion in supplemental appropriations. So during the conference on this bill, I will try to achieve outlay neutrality. It will be difficult. I hope we can do it. But this instruction should not be accepted. We should not straitjacket ourselves.

It is getting later in the fiscal year. Achieving significant outlay savings gets harder and harder. We hear that agencies are spending money rapidly so we are not sure how much is available as a source of offsets.

The instruction would put forward constraints that may not be achievable or which would severely restrict our ability to provide the necessary support for our national security needs.

Mr. Speaker, the Department of Defense needs this emergency supplemental appropriation now. They need it right away. They needed it yesterday. We should not suggest needless or impossible procedural hurdles that would delay or make more difficult our ability to achieve a good conference agreement on this bill, which is something that the Democratic administration wants.

We should stop fooling around and get on with this very, very important conference.

I urge the body to reject this motion to instruct.

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

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I do not regard the motion that I am making today as "fooling around."

What I do regard as fooling around is the action of the House leadership in twice over the last month talking about deficit reduction but, in fact, producing bills which either add to the deficit or, after they have promised that the funds would be used to reduce the deficit, instead announcing a day later that they really did not mean it. They simply said that to get votes and that what they are really going to do is to use it for their tax cut package for very wealthy people.

I would also point out that I do not think that this motion to instruct is in any significant way delaying our ability to go to conference and produce a bill in a timely fashion. As far as I am concerned, if this motion to go to conference is passed by the House today, we could go into conference at 5 or at 6 tonight. We certainly can deal in conference with the issue tomorrow. And we can produce a bill in plenty of time, if Members are serious, both about providing the Pentagon the funds they need and, if they are serious about it, deficit reduction.

I thank it is, frankly, nonsense to suggest that this motion in any way prevents our being able to produce that bill in a timely fashion.

I would point out that suggesting that this motion in any way delays our ability to produce a bill is about like saying that after a basketball coach takes a 20-second time-out, with 1 minute left to go in the game, that somehow that is the reason that you had a 4-hour basketball game.

The fact is this bill has already taken an unusually long period of time to move through each stage of the process, compared to past supplemental appropriation bills. A good example is the emergency supplemental bill our committee moved through the process just 1 year ago.

The chairman will recall that conferees met during snowstorms that paralyzed this city and produced a conference report in short order because of the urgency of the matter at hand. Last year's emergency supplemental took a total of 19 calendar days to move through the entire process. The bill we have before us today, by contrast, has been lingering for some 60 calendar days, three times as long.

I would suggest that the most rapid way for us to reach agreement in conference, since the Senate has already, in my judgment, met its responsibility by providing full offsets for the new spending that they contemplate in their bill, I would suggest the fastest way for us to get an agreeable result in the conference is for the House to do

the same. And that is why I am offering my motion.

My LIVINGSTON. Mr. Chairman, I yield myself such time as I may consume.

I simply point out that actually we could have gone to conference yesterday, but the gentleman objected on Friday. So I do not think that the question is whether or not we are taking an inordinately lengthy period of time. The question is whether we are going to put ourselves in a straitjacket that prevents us from expeditiously getting this matter resolved as quickly as possible. If we do not get it resolved, if it does get hog-tied in the rigors of internal legislative warfare, I would like to request the gentleman from Florida to rise and I would like him to tell us some of the problems that the Defense Department will face.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding time to me.

First I would like to make the comment that we have run out of time on this issue. The Army, the Navy, the Marine Corps, the Air Force and the Coast Guard have spent the money for these contingency operations that we are trying to replace now. I do not recall anybody coming here from the administration to check with Congress to see if it was okay to go to Rwanda or to Somalia or to Bosnia or any of those contingencies. But yet they did it. And we are being asked to pay the bill. We are prepared to do that. We understand the importance.

The House, despite what the gentleman from Wisconsin has just implied, the House subcommittee on national security passed out this bill on January 27. That was even before we got the official request from the administration. And within 2 weeks we had gone through the full committee and were on the way to the House floor. And the House has expedited this entire issue, as it needs to be expedited.

And when the gentleman suggests that there has been delay and the bill has been held out there, he should point the finger at where it belongs. The House has moved expeditiously to meet this responsibility and here is why, in response to my distinguished chairman, the gentleman from Louisiana [Mr. LIVINGSTON].

Based on a January public hearing with Secretary Perry and the Chairman of the Joint Chiefs, General Shalikashvili, here is what we were told, and the commanders in chief, and field commanders have confirmed this throughout the hearing process since we voted this emergency supplemental out of subcommittee.

Unless we get this money appropriated and quick, all U.S.-based units under the Forces Command will have to stop most major training by May 31.

The National Training Center rotations and JCS exercises will be canceled. Flight hours and spare parts stocks will be cut, and all active Army divisions will be degraded in readiness.

I do not want that to happen. I do not think my colleagues in the House want that to happen.

In the Navy, four carrier airwings will be forced to stand down. The first stand down will happen in April. More than 500 aircraft would have to be grounded, and 30,000 flight hours cut.

Required maintenance on two carriers and seven other ships will be deferred or reduced and ship and aviation spare parts reserves will be drawn down by 30 days worth of requirement.

The Marine Corps, since unfunded contingency requirements equate to approximately 80 percent of the Marine Corps's operation forces budget, the corps will see severe readiness impact starting in July. Training for Marine expeditionary forces, in both the Atlantic and Pacific, with the exception of those forces already deployed, will be halted.

All categories of training as well as maintenance and spare parts will face deep reductions, and marine air squadrons will be forced to stand down and suffer reduced readiness.

For the Air Force, flight hours for fighter, bomber, tanker, and airlift squadrons will have to be reduced by 50 percent over a 12-week period. Ten JCS and tactical training exercises will be canceled. Over 24,000 permanent change of station moves will be frozen and aircraft and engine repair as well as scheduled runway and real property maintenance will be deferred.

Mr. Speaker, those are just the highlights of what we are talking about if we do not replace this money. When I say "replace," that is exactly what I mean, because the money to pay for the contingencies in Bosnia, Rwanda and Somalia and Cuba and Haiti and Korea, et cetera, has already been borrowed from those training and those operation and maintenance accounts.

What we are trying to do is pay it back before the services have to stand down their training. And would it not be a shame to stand down the training and then have to turn around and stand it back up again with a tremendous additional cost. And what happens if a young soldier out there, his training is not maintained and he is not quite up to par because of the lack of training? What if he gets hurt or what if he hurts someone else because his training is not at the level that it should be?

I do not think any of us want to carry that burden on our shoulders. We want readiness today. We want readiness in the mid-term. And we want readiness for our forces in the long-term.

This is one of the first major steps that we have to take to provide that readiness.

It is time to get on with this business. The gentleman from Wisconsin

[Mr. OBEY] is exactly right. This has dragged on too long. Not because of any fault of the House of Representatives, but it has dragged on too long.

We should have this bill completed by Thursday of this week, on the President's desk by Friday morning, if that is possible, and I think that it is.

But Mr. OBEY's motion to instruct will certainly carry on this delay considerably further than we would like it to. I say let us vote against the ObeY motion and get on with the conference.

Mr. OBEY. Mr. Speaker, I yield myself 2 minutes and 30 seconds.

Mr. Speaker, one of the worst things that can happen to you in this town is you begin to believe your own baloney. I have just heard an awful lot of baloney, with all the due respect to my good friend.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. The baloney, if you are talking about the information that I read here, came from the Chairman of the Joint Chiefs of Staff.

Mr. OBEY. No, with all due respect, the baloney that I am hearing is coming from a different source. It is not the Chairman of the Joint Chiefs of Staff.

Let me suggest, no one is suggesting, not one person in this House is suggesting that this money not be replaced. We are simply suggesting that it be replaced in a way which does not add to the deficit. That is all we are saying. There are not going to be any aircraft that are required to stand down. There will not be any maintenance that will not be provided because we are asking the House to do what the Senate did, which is to simply pay for the bill before us.

The gentleman from Louisiana suggests that somehow if we pass this motion to instruct that we will be putting the Congress in a straitjacket.

My God, I thought we did that when this House passed the balanced budget amendment to the Constitution. That document requires us to balance the budget. I assume an awful lot of Members of this House are going to proceed to try to deal with fiscal matters as though the budget should be balanced. If that is the case, why start in the hereafter? Why not start in the here and now? Why not start with this bill?

That is all we are saying. We are saying do not add to the deficit.

I would point out that the Senate bill does exactly what we are asking. For 1995, the Senate bill cuts the deficit by \$72 million; whereas, the House adds to the deficit to the tune of \$250 million. Over 5 years the Senate bill cuts the deficit by \$341 million; whereas, the House bill adds \$650 million to the deficit.

□ 1730

That is a swing of nearly \$1 billion. All we are suggesting, Mr. Speaker, is

that the House on this bill show the same degree of fiscal discipline shown by the other body, even though I will readily grant that the other body added a number of items which do not appropriately belong in this conference, and they ought to be taken out.

However, in spite of that mistake, the Senate has at least met its obligation not to add to the deficit. I do not think the House is any less capable of doing that. That is the purpose of my motion.

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

Mr. Speaker, I would simply say that this administration's Defense Department has expressed to us vociferously and repeatedly that they like our bill, they do not like the Senate bill. Moreover, I might add, I think it is ironical to start straitjacketing the Republican majority when in fact the Democrats were in control of this House of Representatives for 40 years and never employed the principle devised by the gentleman's motion.

Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I urge a "no" vote on the motion to instruct.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I would simply say that, with all due respect, our good friends from the Department of Defense do not have to vote on budgets. The Chairman of the Joint Chiefs does not have to go to constituents and explain why the budget is not balanced. We do.

It seems to me, given that difference in responsibilities, we ought to meet our responsibilities to the Department of Defense to reimburse them for the funds that they have had to expend, but we ought to do it in a way which does not add to the deficit. That is all I ask.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. EWING). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Wisconsin [Mr. OBEY].

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

This is a 17-minute vote.

The vote was taken by electronic device, and there were—yeas 179, nays 240, not voting 15, as follows:

[Roll No. 270]

## YEAS—179

Abercrombie Furse Pallone  
Ackerman Gejdenson Parker  
Andrews Gibbons Pastor  
Baesler Gordon Payne (NJ)  
Baldacci Green Payne (VA)  
Barrett (WI) Hall (OH)  
Becerra Hamilton Peterson (FL)  
Beilenson Harman Peterson (MN)  
Bentsen Hastings (FL)  
Berman Hilliard Pomeroy  
Bonior Hinchey Poshard  
Borski Holden Rahall  
Boucher Hoyer Ramstad  
Brewster Jackson-Lee Rangel  
Browder Jacobs Reed  
Brown (CA) Johnson (SD)  
Brown (FL) Johnson, E. B.  
Brown (OH) Johnston Roemer  
Brownback Kanjorski Roybal-Allard  
Cardin Kaptur Sabo  
Chabot Kennedy (MA)  
Chapman Kennedy (RI)  
Clement Kennelly  
Clyburn Kildee  
Coleman Kleczka  
Collins (IL) LaFalce  
Collins (MI) Lantos Serrano  
Condit Levin Shays  
Conyers Lewis (GA)  
Costello Lincoln Slaughter  
Coyne Lipinski Smith (MI)  
Danner Lofgren Spratt  
Deal Lowey Stark  
DeFazio Luther Stenholm  
DeLauro Maloney Stokes  
Dellums Manton Studds  
Deutsch Markey Stupak  
Dingell Martinez Tanner  
Dixon Mascara Thompson  
Doggett Matsui Thornton  
Dooley McCarthy Thurman  
Doyle McDermott Torres  
Duncan McKinney Torricelli  
Durbin McNulty Towns  
Edwards Meehan Tucker  
Ehlers Meek Vento  
Engel Menendez Visclosky  
Ensign Mfume Volkmer  
Eshoo Miller (CA) Ward  
Evans Mineta Waters  
Farr Minge Watt (NC)  
Fattah Mink Waxman  
Fazio Moakley Williams  
Fields (LA) Morella Wise  
Filner Neal Woolsey  
Flake Neumann Wyden  
Foglietta Oberstar Wynn  
Frank (MA) Obey Yates  
Franks (NJ) Olver Zimmer  
Frost Owens

## NAYS—240

Allard Canady Fawell  
Archer Castle Fields (TX)  
Armey Chambliss Flanagan  
Bachus Chenoweth Foley  
Baker (CA) Christensen Forbes  
Baker (LA) Chrysler Fowler  
Ballenger Clinger Fox  
Barcia Coble Franks (CT)  
Barr Coburn Frelinghuysen  
Barrett (NE) Collins (GA) Frisa  
Bartlett Combett Funderburk  
Barton Cooley Gallegly  
Bass Cox Ganske  
Bateman Cramer Gekas  
Bereuter Crane Geren  
Bevill Crapo Gilchrist  
Billray Cremeans Gillmor  
Bilirakis Cubin Gilman  
Bishop Cunningham Gonzalez  
Bliley Davis Goodlatte  
Blute de la Garza Goodling  
Boehlert DeLay Goss  
Boehner Diaz-Balart Graham  
Bonilla Dickey Greenwood  
Bono Dicks Gunderson  
Bryant (TN) Doolittle Gutknecht  
Bunn Dornan Hall (TX)  
Bunning Hancock Hancok  
Burr Dunn Hansen  
Burton Ehrlich Hastert  
Buyer Emerson Hastings (WA)  
Callahan English Hayworth  
Calvert Everett Hefley  
Camp Ewing Heineman

Herger McHugh Schaefer  
Hilleary McInnis Schiff  
Hobson McIntosh Seastrand  
Hoekstra McKeon Shadegg  
Hoke Metcalf Shaw  
Horn Meyers Shuster  
Hostettler Mica Sisisky  
Houghton Miller (FL) Skeen  
Hunter Molinari Skelton  
Hutchinson Mollohan Smith (NJ)  
Hyde Montgomery Smith (TX)  
Inglis Moorhead Smith (WA)  
Istook Moran Solomon  
Johnson (CT) Murtha Souder  
Johnson, Sam Myers Spence  
Jones Myrick Stearns  
Kasich Nethercutt Stockman  
Kelly Ney Stump  
Kim Norwood Talent  
King Nussle Tate  
Kingston Ortiz Tauzin  
Klink Oxley Taylor (MS)  
Klug Packard Taylor (NC)  
Knollenberg Paxon Tejeda  
Kolbe Pickett Thomas  
LaHood Pombo Thornberry  
Largent Porter Tiahrt  
Latham Portman Torkildsen  
LaTourette Pryce Traficant  
Laughlin Quillen Upton  
Lazio Quinn Vucanovich  
Leach Radanovich Waldholtz  
Lewis (CA) Regula Walker  
Lewis (KY) Richardson Walsh  
Lightfoot Riggs Wamp  
Linder Roberts Watts (OK)  
Livingston Rogers Weldon (FL)  
LoBiondo Rohrabacher Weldon (PA)  
Longley Ros-Lehtinen Weller  
Lucas Roth White  
Manzullo Roukema Whitfield  
Martini Royce Wicker  
McCollum Salmon Wolf  
McCrery Sanford Young (AK)  
McDade Saxton Young (FL)  
McHale Scarborough Zeliff

## NOT VOTING—15

Bryant (TX) Gutierrez Orton  
Clay Hayes  
Clayton Hefner Rush  
Ford Jefferson Velazquez  
Gephardt Nadler Wilson

□ 1751

Messrs. MOLLOHAN, TAUZIN, BEVILL, and CRAMER changed their vote from “yea” to “nay.”

Ms. BROWN of Florida and Mr. DUNCAN changed their vote from “nay” to “yea.”

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. EWING). Without objection, the Chair appoints the following conferees:

For consideration of Senate amendments numbered 3, 5, 6, 7, and 10 through 25, and the Senate amendment to the title of the bill:

Messrs. LIVINGSTON, MYERS of Indiana, YOUNG of Florida, REGULA, LEWIS of California, PORTER, ROGERS, and WOLF, Mrs. VUCANOVICH, and Messrs. CALLAHAN, OBEY, YATES, STOKES, WILSON, HEFNER, COLEMAN, and MOLLOHAN.

For consideration of Senate amendments numbered 1, 2, 4, 8, and 9:

Messrs. YOUNG of Florida, MCDADE, LIVINGSTON, LEWIS of California, SKEEN, HOBSON, BONILLA, NETHERCUTT, NEUMANN, MURTHA, DICKS, WILSON, HEFNER, SABO, and OBEY.

There was no objection.

MOTION OFFERED BY MR. LIVINGSTON TO CLOSE PORTIONS OF CONFERENCE MEETINGS

Mr. LIVINGSTON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Livingston moves pursuant to rule XXVIII, clause 6(a) of the House rules that the conference meetings between the House and the Senate on the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes, relating to amendments numbered 1, 2, 4, 8, and 9, be closed to the public at such times as classified national security information is under consideration; provided, however, that any sitting Member of Congress shall have the right to attend any closed or open meeting.

The SPEAKER pro tempore. Pursuant to clause 6, rule XXVIII the vote on this motion must be a rollcall vote.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 403, nays 14, not voting 17, as follows:

[Roll No. 271]

## YEAS—403

Abercrombie Coble Fowler  
Ackerman Coburn Fox  
Allard Coleman Franks (CT)  
Andrews Collins (GA) Franks (NJ)  
Archer Collins (IL) Frelinghuysen  
Armey Collins (MI) Frisa  
Bachus Combett Frost  
Baesler Conyers Funderburk  
Baker (CA) Cooley Furse  
Baker (LA) Costello Gallegly  
Baldacci Cox Ganske  
Ballenger Coyne Gejdenson  
Barcia Cramer Gekas  
Barr Crane Geren  
Barrett (NE) Crapo Gibbons  
Barrett (WI) Cremeans Gilchrist  
Bartlett Cubin Gillmor  
Barton Cunningham Gilman  
Bass Danner Gonzalez  
Bateman Davis Goodlatte  
Becerra de la Garza Goodling  
Beilenson Deal Gordon  
Bentsen DeLauro Goss  
Bereuter DeLay Green  
Berman Dellums Greenwood  
Bevill Deutsch Gunderson  
Bilirakis Diaz-Balart Gutierrez  
Bishop Dickey Gutknecht  
Bliley Dicks Hall (OH)  
Blute Dingell Hall (TX)  
Boehlert Dixon Hamilton  
Boehner Doggett Hancock  
Bonilla Dooley Hansen  
Bonior Doolittle Harman  
Bono Dornan Hastert  
Borski Doyle Hastings (FL)  
Boucher Dreier Hastings (WA)  
Brewster Duncan Hayes  
Browder Dunn Hayworth  
Brown (CA) Durbin Hefley  
Brown (FL) Edwards Hefner  
Brownback Ehlers Heineman  
Bryant (TN) Ehrlich Herger  
Bunn Emerson Hilleary  
Bunning Engel Hobson  
Burr English Hoekstra  
Burton Ensign Hoke  
Buyer Eshoo Holden  
Callahan Evans Horn  
Callaghan Everrett Hostettler  
Camp Ewing Houghton  
Canady Farr Hoyer  
Cardin Fattah Hunter  
Cardin Fawell Hutchinson  
Castle Fazio Hyde  
Chabot Fields (LA) Inglis  
Chambliss Fields (TX) Istook  
Chapman Flake Jackson-Lee  
Chenoweth Flanagan Jacobs  
Christensen Foglietta Johnson (CT)  
Chrysler Foley Johnson (SD)  
Clement Forbes Johnson, E. B.  
Clinger Ford Johnson, Sam  
Clyburn Ford Johnson, Sam



Johnston	Mollohan	Shays
Jones	Montgomery	Shuster
Kanjorski	Moorhead	Sisisky
Kaptur	Moran	Skaggs
Kasich	Morella	Skeen
Kelly	Murtha	Skelton
Kennedy (RI)	Myers	Smith (MI)
Kennelly	Myrick	Smith (NJ)
Kildee	Neal	Smith (TX)
Kim	Nethercutt	Smith (WA)
King	Neumann	Solomon
Kingston	Ney	Souder
Klecza	Norwood	Spence
Klink	Nussle	Spratt
Klug	Oberstar	Stark
Knollenberg	Obey	Stearns
Kolbe	Olver	Stenholm
LaFalce	Ortiz	Stockman
LaHood	Owens	Stokes
Lantos	Oxley	Studds
Largent	Packard	Stump
Latham	Pallone	Stupak
LaTourette	Parker	Talent
Laughlin	Pastor	Tanner
Lazio	Paxon	Tate
Leach	Payne (NJ)	Tauzin
Levin	Payne (VA)	Taylor (MS)
Lewis (CA)	Pelosi	Taylor (NC)
Lewis (GA)	Peterson (FL)	Tejeda
Lewis (KY)	Peterson (MN)	Thomas
Lightfoot	Petri	Thompson
Linder	Pickett	Thornberry
Lipinski	Pombo	Thornton
Livingston	Pomeroy	Thurman
LoBiondo	Porter	Tiahrt
Longley	Portman	Torkildsen
Lowe	Poshard	Torres
Lucas	Quillen	Torricelli
Luther	Quinn	Towns
Maloney	Radanovich	Trafficant
Manton	Rahall	Tucker
Manzullo	Ramstad	Upton
Markey	Rangel	Vento
Martinez	Reed	Visclosky
Martini	Regula	Volkmer
Mascara	Reynolds	Vucanovich
Matsui	Richardson	Waldholtz
McCarthy	Riggs	Walker
McCollum	Rivers	Walsh
McCrery	Roberts	Watt (NC)
McDade	Roemer	Watts (OK)
McDermott	Rogers	Waxman
McHale	Rohrabacher	Weldon (FL)
McHugh	Ros-Lehtinen	Weldon (PA)
McInnis	Roth	Weller
McIntosh	Roukema	White
McKeon	Royce	Whitfield
McKinney	Sabo	Wicker
McNulty	Salmon	Williams
Meehan	Sanford	Wise
Meek	Sawyer	Wolf
Menendez	Saxton	Wyden
Metcalf	Scarborough	Wynn
Meyers	Schaefer	Yates
Mfume	Schiff	Young (AK)
Mica	Schumer	Young (FL)
Miller (CA)	Scott	Zeliff
Miller (FL)	Seastrand	Zimmer
Mineta	Sensenbrenner	
Minge	Serrano	
Moakley	Shadegg	
Molinari	Shaw	

## NAYS—14

Brown (OH)	Lincoln	Schroeder
DeFazio	Lofgren	Slaughter
Filner	Mink	Waters
Hinchey	Roybal-Allard	Woolsey
Kennedy (MA)	Sanders	

## NOT VOTING—17

Bilbray	Gephardt	Pryce
Bryant (TX)	Graham	Rose
Clay	Hilliard	Rush
Clayton	Jefferson	Velazquez
Condit	Nadler	Wilson
Frank (MA)	Orton	

□ 1809

So the motion was agreed to.

The result of the vote was announced as above recorded.

# APPOINTMENT OF CONFEREES ON H.R. 831, PERMANENT EXTENSION OF THE HEALTH INSURANCE DEDUCTION FOR THE SELF-EMPLOYED

Mr. ARCHER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 831) to amend the Internal Revenue Code of 1986 to permanently extend the deduction for the health insurance costs of self-employed individuals, to repeal the provision permitting nonrecognition of gain on sales and exchanges effectuating policies of the Federal Communications Commission, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference asked by the Senate.

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

## PARLIAMENTARY INQUIRY

Mr. GIBBONS. Reserving the right to object, Mr. Speaker, I only reserve the right to object to propound a parliamentary inquiry.

The SPEAKER pro tempore (Mr. EWING). The gentleman from Florida will state his parliamentary inquiry.

Mr. GIBBONS. Mr. Speaker, I have a motion to instruct conferees, and will I be recognized, if this unanimous consent request is agreed to, to then present my motion to instruct conferees?

The SPEAKER pro tempore. The gentleman is correct; yes, he will.

Mr. GIBBONS. Mr. Speaker, I do not object, and I withdraw my reservation of objection.

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

There was no objection.

## MOTION TO INSTRUCT OFFERED BY MR. GIBBONS

Mr. GIBBONS. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. GIBBONS moves that the Managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 831 be instructed to agree to the provisions contained in section 5 of the Senate amendment which change the tax treatment of U.S. citizens relinquishing their citizenship.

The SPEAKER pro tempore. Under the rule, the gentleman from Florida [Mr. GIBBONS] will be recognized for 30 minutes, and the gentleman from Texas [Mr. ARCHER] will be recognized for 30 minutes.

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

## PARLIAMENTARY INQUIRY

Mr. GIBBONS. Mr. Speaker, may I propound a parliamentary inquiry at this point?

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GIBBONS. Mr. Speaker, do I understand in this debate I have the right to close?

The SPEAKER pro tempore. The gentleman is correct.

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

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

Mr. GIBBONS. Mr. Speaker, I am going to depart from my usual practice of speaking extemporaneously and read a statement because the statement is so serious and the names that I will mention here are names of Americans and I do not want to defame them, I want to be very accurate in what I say, and so I am going to read from a prepared statement these remarks.

□ 1815

Mr. Speaker, section 5 of the Senate amendment to H.R. 831 changes the tax treatment of U.S. citizens who renounce their citizenship. Under the Senate proposal, individuals who renounce their citizenship would be subject to income taxes on the unrealized gains which they accrued while they enjoyed the benefits of being a U.S. citizen.

Mr. Speaker, this is a serious loophole in our tax laws, and is one that the Senate has picked up and one that we must close immediately, because the amounts of money here are large, and the equities are very unfair.

Mr. Speaker, I believe that these provisions should be enacted for two reasons. The Senate provisions, first, as a matter of fairness, individuals who have enjoyed the benefits of being a citizen of the United States and who have amassed enormous fortunes should not be permitted to not pay taxes on these gains by merely renouncing their citizenship. Mr. Speaker, this proposal that the Senate has put forward that I ask the Members to instruct the conferees to adopt, this proposal does not punish anyone for renouncing their citizenship. But it merely ensures that these people who renounce their citizenship will pay a tax comparable to that paid by many patriotic wealthy individuals who have not abrogated their responsibility through renouncing their citizenship. In other words, Mr. Speaker, there are many wealthy and fine patriotic Americans who pay their taxes. They do not like them. I do not blame them. But they pay them. There are only a few who escape paying their regular taxes by renouncing their citizenship.

Second, Mr. Speaker, this amendment raises substantial amounts of revenue that should be devoted to deficit reduction as intended by the Senate. The Joint Committee on Taxation has estimated that these provisions will raise \$3.6 billion over the 10-year period. I want to repeat that, Mr. Speaker: This is not a small loophole. This is not just a careless amount of money. Our joint committee estimates that the savings from this to the rest of us American taxpayers will amount to \$3.6 billion over 10 years.

Mr. Speaker, last week we debated welfare reform which reduced Federal

expenditures by reducing benefits payable to the poorest Americans. I think it is appropriate that this week we debate a proposal which requires individuals who have benefited extraordinarily from the American economic system to continue to contribute to reduce this national deficit.

The provision we are talking about today affects a very few individuals. The proposal of the Senate exempts all gains of these individuals from real estate tax holdings, it exempts all tax-qualified retirement plans, and it exempts an additional \$600,000 of gains from other assets, a very generous exemption to these people who renounce their citizenship.

In addition, there are provisions for installment payments of these regular taxes to these people who renounce their citizenship. The Treasury Department estimates that individuals owning less than \$5 million in assets will rarely be impacted by these proposals of the Senate. The Treasury Department also estimates that fewer than 12 or perhaps as many as 24 individuals would be affected by this proposal each year.

Mr. Speaker, several arguments have been raised against this proposal which I would like to respond to. First, some people have argued this proposal is the result of the punitive level of taxation in this country.

Mr. Speaker, this is simply not correct. Compared to other industrialized countries, the United States has a relatively low tax burden. I think I am correct when I say that of all the 21 industrial countries, large industrial countries, on this planet, the U.S. taxes are next to the lowest in all of those 21 countries. I may be incorrect there, but I think that is my recollection of them. It should be noted that other countries such as Canada, Germany, and Denmark have enacted similar proposals to that proposed by the Senate.

Other objectors have raised the issue of human rights. They have compared these provisions to efforts of the Soviet Union to prevent emigration by its citizens from the Soviet Union. This comparison is entirely misguided. The individuals affected by this proposal are not renouncing their citizenship because of lack of economic or political freedoms in this country, but, rather, these are individuals who are simply unwilling to contribute to a country whose political and economic system has benefited them extraordinarily well.

They should be proud to be American citizens. They should not be renouncing their citizenship just for tax purposes.

Recent examples of individuals who have renounced their citizenship include Kenneth Dart, an heir to the drinking cup business, and John Dorrance III, a Campbell Soup heir. Both of these individuals are billionaires, Mr. Speaker. Mr. Dart claims to have taken up residency in Belize, a

country that we used to know as British Honduras, and a country not known for its political or economic freedom.

Mr. Speaker, this tax proposal, this proposed tax of individuals who are fleeing, not fleeing economic or political repression, but are attempting to shed their moral obligations of citizenship in this country of ours because they can move to tax havens and because the rest of Americans will provide through our defense and security systems for their protection in these tax havens, will enable these wealthy Americans to live safely in other parts of the world, but they will probably spend most of their lives here, but they will still be wards of the American Government.

Mr. Speaker, this proposal appropriately taxes the economic Benedict Arnolds of this country, and this proposal to instruct the conferees should be enacted.

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

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. PORTMAN], a member of the committee.

Mr. PORTMAN. Mr. Speaker, I thank the chairman for yielding.

I just have one small point to make. I think a lot of us on this side want to get at this same issue the gentleman from Florida has been discussing, and many of us agree this is a problem that should be addressed in the tax law. We are not sure this is the right place to do it or the right time to do it or this is the right proposal to do it.

One of the things I have been hearing from some of my colleagues is what we would do in this legislation is similar to what other countries do, Australia, Canada, and so on. I have looked into it a bit as has the staff, both of the Committee on Ways and Means and the Joint Tax Committee. That is simply not true. What we do here is something different than is done in those other countries. There are specific differences.

Other countries do impose some kind of an exit tax. They are Australia and Canada. But they are different than ours. As an example, they would allow a step-up in basis, so if you were to go, for example, from Hong Kong to Canada and then emigrate from Canada somewhere else, you would get the step-up in basis, so the gain would only be during the time in which you are a resident or a citizen of Canada. That is a big difference from our proposal that we have before us which would not allow that step-up in basis.

Second, those two countries allow a deferral, so you can allow a deferral in the payment of the gain until the asset is actually sold. Again, that is a big difference.

I just think as we go through the debate, we ought to look at all the proposals before us, but make it very clear what we are talking about doing here in this motion to instruct is to accept language that is very different from

that imposed by other developed countries on their citizens.

Perhaps the gentleman from California [Mr. MATSUI] or others will discuss this issue later. I think it is important for us not to say we are going to be doing something that other countries do.

Mr. GIBBONS. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. MATSUI].

Mr. MATSUI. Mr. Speaker, I thank the gentleman from Florida [Mr. GIBBONS] for yielding the time.

You know, at a time when we are trying to deal with the issue of the deductibility of the self-insured insurance premium, we are paying for it because we want to close a loophole, and that loophole is the FCC loophole which gives preference to minorities, and we all know the Viacom case, the case in which if it went through would cost the taxpayers of America up to \$600 million.

The reason we have moved quickly on the FCC and the Viacom issue is because we did not want people to take advantage of the Tax Code, because one individual, Frank Washington from California, was basically a front for the TCI Corp. which was buying the assets of Viacom, and so if we are willing to take on Viacom, if we are willing to take on the FCC regulations, because it is unfair, because we know that it is being abused, the tax system is being abused, how could we possibly, how could we possibly not take on these people that are American citizens who leave the United States, only renounce their citizenship only because they want a tax break, they want to avoid taxation? And as the gentleman from Florida [Mr. GIBBONS] has said, we have calculated over the next 10 years the Federal Government will lose \$3.6 billion if in fact this loophole is not taken care of.

And, second, even more critically, if this loophole is not taken care of, you are going to see more and more American citizens renounce their American citizenship. It could be up to \$10 billion or \$12 billion over the next 10 years. The reason for it is because they are going to recognize, they are going to find out that this is a basically abusive tax proposal that they can take advantage of, and so as more and more people find out about it, they are going to take advantage of it. That is why we have to close this loophole in this particular conference.

I know if you want to make changes in it and clean it up a little bit, we can do that. The conference will have 4 or 5 days in which they can work.

We have got the Treasury Department, we have the fine minds of the majority and minority to make sure this proposal will work.

I think what people have to understand is American citizens are renouncing their citizenship not because they want to go to another country because they find the country is a better country to live in, but because they do not

want to pay taxes that you and I pay and we will have to pay more of it in fact they do this.

Bear in mind, these people do not have to leave the United States physically. They can still stay in this country. They just will not be American citizens. They can stay in this country for up to 120 days a year.

This is an abusive approach. These people are taking, as the gentleman from Florida [Mr. GIBBONS] says, we know the Dart family that have done it. We know a lot of families that have done it.

I have to tell you in terms of what the gentleman from Ohio has said, other countries have done it but not quite as abusive as we have. We have a list of about 10 countries that have current similar laws, Germany, the Netherlands, Denmark, Sweden, Norway, Finland, France, Philippines, Canada, and Germany, for example, will withhold 25 percent of one's assets if a person has been a resident of Germany for more than 10 years. This is much more stringent than the proposal that is being proposed in this conference.

We have other countries like Norway who will deem a tax period for over 5 years even though that person has not been a citizen for 5 years; he will have been deemed to be a citizen for 5 years; he will have been deemed to be a citizen of Finland for tax purposes. Our proposal is much less stringent than Finland's.

These 10 countries have proposals that are very, very stringent. I would further add that both Senator DASCHLE, the minority leader of the Senate, and Senator DOLE, the majority leader of the Senate, have said keep this provision in, keep this provision in because when we go to the conference, we may want to use this money not only for deficit reduction but maybe for giving the small-business owner, instead of 25 or 30 percent, maybe give them up to 40 percent in terms of a deduction.

Why not do that? Why not give some of these small businesses a larger deduction on their health insurance deduction instead of allowing these tax cheaters who leave the country, renounce their citizenship, the right to avoid U.S. taxes?

And so I might just conclude by making one final observation in my time. As the gentleman from Florida [Mr. GIBBONS] says, we are talking about \$3.6 billion, or \$1.4 billion over the next 4 years, and we are only talking about 12 to 25 citizens on average per year, and this just indicates exactly the amount of money that these people are trying to avoid in taxes.

This is the proposal that must be taken out and put in this conference. This is a proposal that must become law at the same time we go after Viacom and others who attempt to abuse the tax system.

□ 1830

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

Mr. Speaker, the provisions in this motion to instruct which would force the House or attempt to force the House to accept the Senate provisions on which we have had no real deliberations over on the House side, and which the Senate gave only cursory attention to, were put in place, a new provision in the tax law, a tax increase that we are not really in a position to fully comprehend.

But, more importantly, it will potentially jeopardize the very badly needed deduction for health insurance for the self-employed, which must get out of this Congress and be signed into law before April 15.

That means out of the Congress before we recess next week.

The gentleman from California said it is easy to fix this in conference, that it will only take 5 days or so. That is too late.

We need to push through this 30-percent deductibility for the self-employed on their health insurance and make it permanent, which this bill will do, and not encumber it with the type of debate that is going on tonight.

It is very interesting to note that there is already a law on the books for over 30 years that is intended to deal with tax-motivated expatriation. But Treasury has never issued regulations to implement this provision in the law. Treasury has indicated it has no information about the number of taxpayers who expatriate for tax-avoidance purposes. We need to know much, much more about this.

We do not need to rush into it now, and our committee will carefully consider this issue as the year progresses. It should not be left to encumber the passage of badly needed tax relief for the self-employed on their health insurance.

Contrary to what the gentleman from California said, the provisions will make us the only country in the world that does this in the full dimension that is provided in the Senate bill.

It seems strange to me that where we have held out the banner over the years as supporting the ability of free exit from any country where a citizen disagrees with the policy of that country, where we have criticized other countries for putting in place exit fees; where we have stood strong for freedom, and this being the basic freedom without barriers, that we now are going to perhaps jeopardize our leadership role in the world in this regard, by thrusting through something that has not been adequately considered.

I encourage a vote against this motion to instruct, to give us the opportunity to adequately address this issue later on this year.

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

Mr. GIBBONS. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN. I thank the gentleman for yielding this time to me.

Mr. Speaker, I have listened to the debate. I was not at the subcommittee hearing, but I have worked on it since then. And I really am perplexed why the majority is defending the status quo. It feels like you are stonewalling on this issue, and there is no reason to do it.

If there are some imperfections in the Senate proposal, they can be looked at and they can be remedied in the conference. Compared to the other technical issues that are considered in a conference committee of the Committee on Ways and Means, this is relatively easy. It is relatively easy. It is not going to take 4 days.

I talked to the Treasury just a few hours ago, and they are persuaded that you can work it out. So why not work it out?

There is an abuse going on here. People are leaving the country, giving up their citizenship to avoid taxation. We know who they are. It is no mystery. You are talking about a dozen to two dozen people. All we are saying is tax their unrealized gains as they leave. You know where the money is going to come from that will go into the Treasury, as I understand it? It is not from the people who leave and cash in their gains, it is because those people will not renounce their citizenship. That is where the money is going to come from.

The abuse is going to end, and we are going to pick up money as a result.

What bothers me are some of the arguments. For example, with due respect to my friend whom I am so fond of and much admire, the exit thing, I do not think we should use extreme examples on this floor. To compare this with the Soviet Union, people can leave here if they want, they can renounce their citizenship; just do not let them take unrealized gains with them because they renounce their citizenship so they could take them free of charge and essentially cheat us out of several billions of dollars.

That is all we are saying. It is a perfectly free country. But why should they take advantage, kind of use a loophole? And in terms of the tax treaty, there is not going to be any problem, because these people are not going anywhere.

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

Mr. LEVIN. I yield to the gentleman from Texas.

Mr. ARCHER. I thank the gentleman for yielding.

Mr. Speaker, I know the gentleman was shoulder to shoulder with me when we passed the Jackson-Vanik amendment, which was then called Jackson-Vanik-Mills-Archer amendment, and we heard the very same comments out of the Soviet Union. These people owe us something. We educated them. They have taken advantage of our system. Therefore, they must pay an exit fee when they leave. It is the very same

thing that this country railed against, because I know, I was out in front railing against it. And I think we give up the high ground here without knowing precisely what the end result of our actions is going to be.

Mr. LEVIN. I am glad the gentleman raised the question. I was not here at the time. I would have voted for it. I admired the gentleman's efforts. It was a controversial issue.

I think Jackson-Vanik did some good. But there is no comparison. People were being kept in the Soviet Union. The whole purpose of the Soviet system was to keep people in, not to let them out. We are not trying to keep people here. If they want to leave, it is a 100-percent free country. Do not let them use the artifice of renouncing citizenship to avoid taxes when they just come back here and live anyway. That is what the issue is.

This is a pure artifice that a few very wealthy families are using to avoid legitimate taxation on what they realize, what they gained in the United States of America. I am not trying to go after them because they are wealthy. I am glad they made their wealth here. But do not let them use a technique, a loophole to renounce citizenship to avoid taxes when they end up here anyway.

I do not understand what motivates the gentleman. If it is the imperfection of this amendment, look, I will take your instructions of the last 12 years which I have been here.

Look, we all know the thrust of these instructions. It is not that we are asking you to take it lock, stock, and barrel. You do not have to do that. What this is, is a statement of the House, it is a statement that we are asking you to work to perfect this and to keep it in the bill.

No one is trying to sink the self-employed provision. I am very much for it. If we can expand it from 30 percent to 35 percent or 40 percent with the benefit of this money, let us do it. I am really serious here. I do not know why the gentleman is resisting this. Take the instruction, try to work it out. If you feel you cannot work it out in the end, you will come back without it. But at least accept the thrust from the House that this makes good policy sense and work out the details.

I think the gentleman from Florida [Mr. GIBBONS] is on the mark here, and I rise in support of closing this loophole and using the money for good purposes.

Mr. ARCHER. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON], the chairman of the Subcommittee on Oversight, which has just begun hearings on this issue.

Mrs. JOHNSON of Connecticut. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in opposition to the motion, although I do not rise in opposition to the concerns expressed by the gentleman from Florida, for whom I have great respect, or for my col-

league and ranking member on the Oversight Committee, who also supports the motion.

I am not defending the status quo. I think the administration has found a real problem. I think we need to deal with it. I do not believe, from the testimony we received yesterday, that it is possible to deal with it in 5 days. However, we can, by retaining that portion of this bill in conference, retain the date and therefore have the same effect in a month or 2 that we would have this week, if we bring it out of conference.

Now, it is important that we do the right thing in creating a more effective law in this area.

Let me give you an example of the kinds of misinformation that is afoot. For instance, in the Germany situation, Germany only taxes you if you own 25 percent of a corporation's stock. And then they only tax you at one-half of the normal rate and only on that stock that you own.

The scope of this bill is extraordinary. It is absolutely everything you own.

Furthermore, it forces you to pay taxes on something that you may have no way of generating income to pay.

Now, I was very interested that my colleague from California said there were 24 people involved. I questioned the representative of the Treasury Department yesterday. He did not know how many people were involved. He never mentioned numbers like that. He never gave any examples.

I am not confident that we are going to catch in our net so few people. Those people do need to be caught. There should be no tolerance in America for using relinquishing of your citizenship as a way of avoiding taxes that you are responsible to pay.

But this bill has some very serious and very significant problems. First of all, as I mentioned, the scope of the bill is enormous. It covers every kind of asset and it treats every one of those assets as if you could turn them into cash so that you could pay taxes on them.

In the area of trust, even the advocates of the bill said you must fix the problems in the trust area, but we do not know quite how yet. So, even those who testified in favor of the bill had some real concerns about some of its significant technical problems.

In the area of double taxation, this will require that we renegotiate all our tax agreements with other nations or we will subject people to terribly unfair double taxation. We are a Nation where justice matters. If we are going to adopt a law that will guarantee that everybody pay the taxes that they should—and we should do that—we should not want them to be taxed again on those same assets in another country. And without renegotiation of those tax agreements, that is exactly what will happen.

We had to negotiate an agreement with Canada to prevent that kind of ac-

tion when they adopted legislation in this area. We will have to renegotiate all those agreements as well.

Let me close by commenting on two other aspects of this bill.

If we act precipitously in a way that appears hostile to foreign investors—and this bill from the outside, without hearing our debate, can easily appear hostile to foreign investment—we run a very grave risk. We are a Nation whose currency values are plummeting, we are a Nation that depends on foreign investments to fund our debt, a Nation that depends on foreign investors to fund our economic growth. We cannot afford to chill the interest of foreign investors in our economy by acting precipitously in a way that is not rational.

□ 1845

Finally I would say in regard to the human rights issue, Let me quote from the testimony of Robert Turner who was the staffer when they passed the Jackson-Vanik amendment.

He says:

If the proposed "exit tax" is designed to discourage citizens from exercising their right to renounce U.S. citizenship. I think it is contrary to the law. If it is designed to impose an immediate and substantial financial burden upon citizens—on the specific and expressed grounds that they have elected to renounce their citizenship and emigrate to another country—and it is a burden that would not be imposed upon otherwise identically situated citizens who elected to remain American citizens (and did not elect to sell or dispose of their property or take other action that would recognize capital gains liability), then I think you have a very serious problem. In that event, I would want my money "up front" if I were asked to argue before an international tribunal that the proposed U.S. exit tax complies with the spirit of the Jackson-Vanik amendment.

Mr. Speaker, I say: My colleagues, if you impose a tax that a person cannot generate the resources to pay, you automatically prevent that person from having a choice about whether they continue to be a citizen or they don't continue to be a citizen. That is an entirely different issue than holding them liable for taxes they owe our country. To impose a tax that compromises the right to choose to be a citizen or choose not to be a citizen is a very serious human rights matter in this world, and it's one that we have been closely identified with over decades in our long struggle against communism.

So I would urge my colleagues to be patient in this matter. We can address this problem. We can use the effective date in the bill that is in the conference, but we absolutely must address the domestic and international implications of this proposal and do it wisely.

Mr. GIBBONS. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. MATSUI].

Mr. MATSUI. Mr. Speaker, I thank the gentleman from Florida [Mr. GIBBONS] for yielding this time to me.

I strongly support what the gentleman from Florida [Mr. GIBBONS] is trying to do on this motion to recommit. Let me just respond, if I may, to a few of the points that were being made from the other side of the aisle.

First of all, this is not precipitous action. This was in the original President's budget in February of this year. We held extensive hearings on the entire administrative budget, so this did not come up just last Friday or last Monday.

Second, Steve Shay, who also testified; he was the international tax counsel for the Reagan administration at the State Department; he supports this proposal, and he says this was under deliberation under President Reagan, when Reagan was President.

So, this is an issue that was vetted, talked about, and has been constantly discussed within the administration for years and years, so this is not a new proposal.

Also, in terms of the renegotiation of treaties, as my colleagues know, a lot of people bring those issues up, and we find ourselves caught in a bind. We do not want to argue the issue substantively; we want to argue technical issues.

The best way to get a foreign country to renegotiate with us is by passing a law. We need to pass this law, and then every country will start negotiating, just as Canada did, just as Germany did, just as these other countries did as well.

I say to my colleagues, "So, you don't start negotiating before we actually pass a law. You pass a law, and then you start negotiating. That's what USTR has been doing recently as well."

The Jackson-Vanik issue:

We have Steve Shays, former Reagan administration official, as I said, who testified. He said there was no Jackson-Vanik or human rights issue. We have a Harvard professor who testified and sent a letter—Professor Bats at Harvard—that says there is no human rights issue, and I cannot understand how Members would at all think that this proposal that is supported by BOB DOLE, TOM DASCHLE, BILL BRADLEY, the gentleman from Florida, Mr. GIBBONS, has anything to do with Jackson-Vanik. I mean it is just not at all common sense to think this has anything to do with Jackson-Vanik, particularly since 12 other countries that we are aware of have similar proposals, some of which are more stringent than the one we have under entertainment.

Let me just conclude by making one further observation about this human rights issue because I think it is very interesting that the opposition is bringing it up. Before this even kicks in we have to have about 5 million dollars' worth of assets. We are talking about couples who have \$1.2 million of capital gains. I mean it does not even kick in until they go beyond a couple beyond \$1.2 million of capital gains treatment. Most of those people end up

going to the Caribbean countries by the way. They are not trying to emigrate to England or some other countries that have democracy like we have, so we are not really talking about human rights. We are not talking about Jackson-Vanik in this situation.

I think we should really be realistic about this—

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

Mr. MATSUI. I yield to the gentleman from Texas.

Mr. ARCHER. Mr. Speaker, can the gentleman name one country that has more stringent requirements and restrictions than what is in the Senate provision?

Mr. MATSUI. I mentioned Finland which requires the citizen to be deemed, who renounces citizenship to be deemed, a citizen for 5 years beyond the time he renounces his citizenship. I mentioned Germany which says that, if this individual is a citizen of our country, of their country for 10 years, it is a 25 percent tax on assets—

Mr. ARCHER. But what are the penalties—what country has penalties that are more stringent than in the Senate provision?

Mr. MATSUI. I just mentioned two.

Mr. ARCHER. No, those penalties are not more stringent, as I understood the gentleman's explanation. I am told by staff that has evaluated all the laws across the world that this is the most punitive of any country's.

Mr. MATSUI. As my colleague knows, if one wants to say this is more punitive than a 25-percent tax on one's assets from Germany if they are a citizen for 10 years, I guess it depends upon how one looks at it, but I think that is a pretty punitive tax.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from Missouri [Mr. HANCOCK], a member of the committee.

Mr. HANCOCK. Mr. Speaker, I am not going to go into a lot of detail about the problems we are discussing, only to say that I strongly oppose the approach that we are talking to it.

When I first heard about what had been going on and I first started reading in the newspaper about certain individuals that were giving up their citizenship of the United States for the purpose of avoiding taxes, I have a reputation back home of being a tax fighter, but I certainly, certainly think, that the idea, the mere idea, that people that our tax law has evolved into a situation that people would even consider giving up their citizenship for the purpose of the way our tax law is written. Therefore I was very much in favor of what this motion to recommit—quite frankly I was in favor of it, however, after the hearing yesterday in which I sat through most of, and read, and studied, and looked into the situation of exactly what we are doing, how this affects international tax law and also the fact, in my judgment, a green card holder working in the United

States and accumulating a lot of wealth would be better off than our own citizens. He would have to give up his citizenship to get the same treatment.

Now something is wrong with the tax law. So what we need to address is not on this vehicle. At this tax law at this time we need to address it later, and I want to go on record as being strongly opposed to the motion to recommit.

Mr. GIBBONS. Mr. Speaker, I yield, 5 minutes to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Speaker, I originally came to the floor, and I regret to say there are not many people on the floor at this particular time, and I hope some people are tuning into this discussion. I originally came to the floor because I anticipated there would be no dispute about this. I anticipated that this would be agreed to and we would move ahead.

This is the most appalling debate that I have ever been a part of or witnessed in 21 years of public service. How is it possible? I have got immigrants, immigrants like my ancestors, driven out of Scotland, people in Hawaii today who are immigrants, paying taxes and working, proud to be Americans, striving for the chance to be Americans.

We had a welfare debate in here that said we do not want people in this country unless they are going to be Americans and move toward being American citizens. Otherwise we are cutting them off, even if they are legal immigrants, people that I deal with every day. I say to my colleagues, Maybe some of you come from areas where you don't see many immigrants. Maybe you have forgotten where your ancestors came from in this country. But I see them every day, and we deal with people everyday who are proud to be there.

I watched PBS on television last night where people were standing up, singing the Star Spangled Banner, just become being citizens of this country. They were not running away because they made money here.

I say to my colleagues, I know what program you saw. I know what got you interested in this. These people who have left this country because they don't want to pay taxes, they don't even have a fundamental ideological motive. They are not opposed to the war unless their ideology is, "I get to make everything I can or take everything that I can, and, when it becomes inconvenient to pay my share of taxes, like everybody else in America, I get to split, and once more I want my rights, my human rights."

How dare anybody bring up on the floor of this House of Representatives human rights and compare them to people trying to leave the Soviet Union, Jews trying to leave the Soviet Union, kept there in the iron grip of communism? I ask, "Do you think they're able to leave Burma today?" Look at all the analogies that can be

made with repression, and dictatorship, and authoritarianism, and compare someone leaving the United States. I hear every aspect of their assets will be looked at.

If I had my way, this bill, this instruction by the gentleman from Florida [Mr. GIBBONS] is lightweight, lightweight. This proposal is not designed to prevent Americans from shifting their assets and citizenship to another country. If it was my instruction, it would. Why should I give two hoots about somebody that wants to give up their U.S. citizenship and shift their assets to another country and then say that they demand human rights, demand human rights as a citizen?

It has been brought up about double taxation. I say, "You can triple or quadruple tax them as far as I'm concerned, run it up to a hundred percent if they want to give up their citizenship because they don't want to pay their taxes."

They say here that maybe—it is impossible for me to understand why we are not passing this. I will tell my colleagues this:

I've tried mostly in my campaigns to say what I stand for and what I believe and not go to the other person, but I'm going to be very interested what the vote is. This is an instruction. This is just an instruction. We all know what 'instruction' means. This is a guidepost to you to go into this. I can't believe that anybody will come down here and vote against this instruction, and, if you do, I tell you not only when I go home, but in every chance that I get to speak in this country, and, believe me, I get plenty of them, and to everybody here, I'm going to ask, 'How can you be against legal immigrants? How can you be against the kids? How can you say that we should all do our share in America, including making all the kids, and the elderly people, and everybody else, have to contribute to the deficit, to bring it down, and at the same time allow these sleazy bums, who don't want to pay their taxes, to leave this country, and renounce their citizenship, and expect me to have one iota of sympathy for them.'

Pass this instruction, and stand up for America.

Mr. ARCHER. Mr. Speaker, I yield 5 minutes to the chairman from California [Mr. THOMAS], chairman of the Subcommittee on Health, a valued member of the Committee on Ways and Means.

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

Mr. THOMAS. Mr. Speaker, in case some folks think that what we are talking about is what was just talked about, let us take a look at what we are really talking about, and that is specifically a motion from the gentleman from Florida to require the House conferees to agree to the provisions contained in section 5 of the Senate amendment, not to the administration's proposal, not to the Clinton pro-

posal to change the law we have on the books, which is clearly flawed.

□ 1900

Not to the administration's proposal; not to the Clinton proposal to change the law we have on the books, which is clearly flawed. That is not what we are being requested to do. We are being requested to bind ourselves to the Senate language.

What does that Senate language do that the Clinton administration language does not do? The Clinton administration language said we should go after noncitizens and citizens. What does the Senate language say? We should go after only citizens.

In other words, if we bind ourselves to the Senate language, we will treat citizens of the United States worse than noncitizens. Aliens can come in this country, take that money, and leave, and this provision of the law would not apply to them. It is only to citizens.

What happened to you folks when you moved from the majority to the minority? What is this, comparing us to other countries? We should not be compared to any countries. We should not take other countries' laws and say we are as good or this is not as bad as they are when it deals with citizens.

When the gentleman from Florida stands up and states his position, I will disagree with that position, but I will defend his right to say it. I will never, ever oppose his right to say it. When we offer citizenship, we ought not to offer it qualified. If we have a problem with the law, let us change the law. Maybe the problem is the Tax Code as well, in which Americans take a look at the confiscatory tax structure that we have and go so far as to say in weighing choices, maybe I will take a look at citizenship. If we buy the Senate position, a holder of a green card, a noncitizen, would never have to make that decision. We have American citizens making that decision. There is a law on the books that says if you renounce your citizenship for tax purposes, you will be punished. Should we change that law? Yes, we need to change the law. It is not working. It is hard to nail those people. We have to perfect the law. But not here, and not now, and especially not with the Senate provision.

Now, we have been told that we have to follow the Senate instructions. Then we have been told no, just go in and work out your differences. If it is not the specific instruction to buy the Senate provision, then let us go ahead and try to figure out a way in a couple of hours in a closed room how to solve this problem, when the gentlewoman from Connecticut came in front of you and said she held a hearing on it and the Treasury could not even produce accurate numbers of the number of people who are exercising this provision. We want to change the law, but not here, not now.

If you want to see the frustration of the minority, it is a little bit like the

fellow trying to train his dog, and it will not behave. So if it is sitting, he says "sit;" if it stands, he says "stand;" if it is lying down, he says "lie down;" because they are desperate for some kind of control.

That is exactly what we are seeing here. You are putting so much weight into this motion to instruct on a flawed Senate provision, I do not understand. You heard the gentlewoman, who is chairman of the Oversight Committee saying we need to solve the problem, we need to sit down and resolve the law. Not here, not now.

We have said the money in the Senate bill is tied to the deficit. We have heard do not have it go to the deficit, we can have it go to the self-employed, up their percentage. We will have it this or we will have it that. However it is, you want it your way.

The answer is, this area needs to be changed. For you folks to stand up and get carried away about the question of citizenship is to put this out of complete context. You want control. You will go to the lengths you have just exhibited to show that control.

We have already said we want to sit down and perfect the law. The Senate provision is flawed. You want us to try to get it right in a couple of hours on a conference that is critically timed to the tax bill provisions so that these people can get the relief they so desperately seek.

What is the difference in a couple of months, if the gentlewoman from Connecticut has told you the date is locked in. Because of this discussion, we have the date locked in. Let us not do it fast. Let us do it right. If you are really honest about wanting to solve this problem, you will join with us in getting it right, and at the same time begin to change the Tax Code so no American citizen will ever consider renouncing their citizenship to get away from the confiscatory taxes that we have in this country.

Mr. GIBBONS. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I am glad to hear this pledge about taking time and doing things right and not doing them too hastily. I thought the contract outlawed that.

I wanted to explain to my colleagues why our friends on the other side are not so worried about this. They are not worried because they have the solution. We are worried about wealthy people feeling that the Tax Code burdens them too heavily and renouncing their citizenship. But you forget, they are going to change the Tax Code. By the time they are through with the Tax Code, if they have their way, no wealthy people will feel bothered by it. By the time they are through weakening the minimum tax and giving them capital gains and giving tax credits for people with hundreds of thousands of dollars, there will not be any problem.

So they are solving the problem the other way. They are going to make the Tax Code rich-people-friendly, and no one will leave.

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

Mr. Speaker, let me simply say that what this issue is about today is not really substance. This issue can be discussed in the conference committee. But the motion to instruct would attempt, without having any binding force, I must say, to tie the hands of the conferees for a specific provision without change. This is unnecessary. We will be going to conference, we will be discussing this issue, and it is a nonbinding motion to instruct.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Speaker, I do want to reiterate that I do not oppose amending the law so that people cannot use renunciation of citizenship to avoid the payment of legitimately owed taxes. But this bill does need amending. We cannot accede to the Senate language. And I want to make very clear that we are not just talking about 24 multimillionaires.

Do you realize that any Cuban-American who came here to escape Castro, started their own small business, it could be a single woman, the small business did very, very well over time, she bought a very nice house, she bought a very nice car, made some other investments, now Cuba gets freed, she wants to go back. She wants to for symbolic reasons renounce her American citizenship, but she wants to leave a trust for her kids here and wants to leave her business here moving along. But she wants to sell her house, she wants to take a lot of her assets back, and she wants to be a Cuban citizen.

This bill catches her, and the trust provisions are such and the tax she would owe on the business she built are such that she would have to sell them to pay this level of tax.

This is not just about billionaires. This is about everybody who renounces their citizenship, and it is going to catch a lot of Cuban-Americans, it is going to catch a lot of Hungarian-Americans, and Czech-Americans and others who flew Communist nations and came here and worked with extraordinary energy and resources and built something for themselves and now decide to leave.

So let me say that this is a tough provision. It needs some improvement. My colleague said it is not tougher than the taxes of other countries. He used Finland as an example. Listen to what Finland does. A Finnish citizen who leaves the country is deemed to be a resident for 3 more years. In other words, they are treated for tax purposes as being a resident for 3 more years. Current law treats people as deemed to be a resident for 10 years. Our current law is tougher than the Finnish law.

Let us look at Germany. Germany has been held out saying they are tougher than we are. To pay this tax, you have to own 25 percent of the stock of a corporation, or more, of a corporation. You have to be a big stockholder in a German corporation to be caught in this tax, and then you are taxed only on the gain in the stock in that corporation and at half the regular tax ratio.

This is an entirely different tax than the tax being proposed; it would have an entirely different impact on foreign investors.

Furthermore, if you came into Germany and then left, you would only be taxed on the gain during the period you were in Germany.

Now, my friends, we are absolutely obliged to support the administration in closing a loophole they have identified. But we must treat noncitizens and citizens the same way, and must not adopt a tax that is so extraordinarily different than that of other countries that it has ramifications for people who are making investment decisions. We also must adopt a tax that is respectful of trust obligations and other obligations for which it is not possible to generate cash to immediately pay off tax obligations as defined under this bill.

It is perfectly possible for us to solve these problems. I only ask that in conference you give yourselves the time to do that, and not bind yourself to the Senate language. I do not ask that my colleagues, because this is a difficult issue, vote with me. I do not ask that. I do ask that this debate be considered by the conference and that we not adopt a policy that would be destructive for us as a Nation and probably in the long run destructive of our economic strength.

Mr. ARCHER. Mr. Speaker, on the assumption that the gentleman from Florida [Mr. GIBBONS] will close, I yield back the balance of my time.

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

Mr. Speaker, this is not a new issue. About 2 weeks ago this came up in the Committee on Ways and Means. The gentleman from Washington [Mr. McDERMOTT] had an amendment like this, and, Mr. Speaker, every single, solitary Republican on the Committee on Ways and Means voted against it. Let me repeat that: This amendment came up in the Committee on Ways and Means 2 weeks ago, and every single, solitary Republican on the Committee on Ways and Means voted against it. They are still here defending these people who would escape taxation by renouncing their American citizenship, the place where they made the money.

All right. Now, the gentleman from Texas [Mr. ARCHER] would scare the people to death about how complicated this would be in conference. If we adopt my motion, all that the gentleman has to do is say I have been instructed by the House to accept the Senate lan-

guage on this matter, and in 15 seconds that issue will be behind us.

All of you have been to conference. You know how it works. All the gentleman has to do is say, I am following instructions, and it is over. The Senate cannot take it off the table and it is a matter that becomes law. So there is nothing to that.

Now, this does not affect foreign investment in the United States. This does not affect anything except those selfish people who would make a fortune here in the United States, or inherit a fortune here in the United States, and would like not to pay any U.S. taxes, so they just renounce their citizenship. They do not even have to leave the country, Mr. Speaker. They can stay here and still just renounce their citizenship and say I am keeping it, fellows, the rest of you slob pay taxes. But not me, because I am in that privileged category. I just renounced my American citizenship.

How stupid can we be? This is a tax loophole of major proportions, Mr. Speaker. It is a tax loophole for very wealthy Americans. They are the only people that are taking advantage of it, and not all the very wealthy Americans are taking advantage of it, Mr. Speaker. They stay here and they pay their taxes just like all the rest of us.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion to instruct.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Florida [Mr. GIBBONS].

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 193, nays 224, not voting 17, as follows:

[Roll No 272]

YEAS—193

Abercrombie	Chapman	Doyle
Ackerman	Clement	Duncan
Andrews	Clyburn	Durbin
Baessler	Coleman	Edwards
Baldacci	Collins (IL)	Engel
Barcia	Collins (MI)	Eshoo
Barrett (WI)	Condit	Evans
Becerra	Conyers	Fattah
Beilenson	Costello	Fazio
Bentsen	Coyne	Fields (LA)
Berman	Cramer	Filner
Bevill	Danner	Flake
Bishop	de la Garza	Foglietta
Bonior	Deal	Ford
Borski	DeFazio	Frank (MA)
Boucher	DeLauro	Furse
Brewster	Dellums	Gejdenson
Browder	Deutsch	Geren
Brown (CA)	Dicks	Gibbons
Brown (FL)	Dingell	Gonzalez
Brown (OH)	Dixon	Goodling
Bryant (TX)	Doggett	Gordon
Cardin	Dooley	Green



Greenwood	McHale	Sanders
Gutierrez	McKinney	Sawyer
Hall (OH)	McNulty	Schroeder
Hamilton	Meehan	Schumer
Hastings (FL)	Meek	Scott
Hayes	Menendez	Serrano
Hefner	Mfume	Siskys
Hilliard	Miller (CA)	Skaggs
Hinchey	Mineta	Skelton
Holden	Minge	Slaughter
Hoyer	Mink	Spratt
Jackson-Lee	Moakley	Stark
Jacobs	Mollohan	Stenholm
Johnson (SD)	Montgomery	Stokes
Johnson, E. B.	Moran	Studds
Johnston	Neal	Stupak
Kanjorski	Oberstar	Tanner
Kaptur	Obey	Tauzin
Kennedy (MA)	Olver	Taylor (MS)
Kennedy (RI)	Ortiz	Tejeda
Kennelly	Owens	Thompson
Kildee	Pallone	Thornton
Kleczka	Parker	Thurman
Klink	Pastor	Torres
LaFalce	Payne (NJ)	Torricelli
Lantos	Payne (VA)	Towns
Laughlin	Pelosi	Traffcant
Levin	Peterson (FL)	Tucker
Lewis (GA)	Pickett	Vento
Lincoln	Pomeroy	Visclosky
Lipinski	Poshard	Volkmer
Lofgren	Rahall	Ward
Lowey	Rangel	Waters
Luther	Reed	Watt (NC)
Maloney	Reynolds	Waxman
Manton	Rivers	Williams
Markey	Roemer	Wise
Martinez	Rose	Woolsey
Mascara	Roth	Wyden
Matsui	Roukema	Wynn
McCarthy	Roybal-Allard	
McDermott	Sabo	

## NAYS—224

Allard	Doolittle	Johnson (CT)
Archer	Dornan	Johnson, Sam
Armey	Dreier	Jones
Bachus	Dunn	Kasich
Baker (CA)	Ehlers	Kelly
Baker (LA)	Ehrlich	Kim
Ballenger	Emerson	King
Barr	English	Kingston
Barrett (NE)	Ensign	Klug
Bartlett	Everett	Knollenberg
Barton	Ewing	Kolbe
Bass	Fawell	LaHood
Bereuter	Fields (TX)	Largent
Bilbray	Flanagan	Latham
Bilirakis	Foley	LaTourette
Bliley	Forbes	Lazio
Blute	Fowler	Leach
Boehlert	Fox	Lewis (CA)
Boehner	Franks (CT)	Lewis (KY)
Bonilla	Franks (NJ)	Lightfoot
Bono	Frelinghuysen	Linder
Brownback	Funderburk	Livingston
Bryant (TN)	Gallegly	LoBiondo
Bunn	Ganske	Longley
Bunning	Gekas	Lucas
Burr	Gilchrest	Manzullo
Burton	Gillmor	Martini
Buyer	Gilman	McCollum
Callahan	Goodlatte	McCrery
Calvert	Goss	McDade
Camp	Graham	McHugh
Canady	Gunderson	McInnis
Castle	Gutknecht	McIntosh
Chabot	Hall (TX)	McKeon
Chambliss	Hancock	Metcalf
Chenoweth	Hansen	Meyers
Christensen	Hastert	Mica
Chrysler	Hastings (WA)	Miller (FL)
Clinger	Hayworth	Molinar
Coble	Hefley	Moorhead
Coburn	Heineman	Morella
Collins (GA)	Herger	Myers
Combest	Hilleary	Myrick
Cooley	Hobson	Nethercutt
Cox	Hoekstra	Neumann
Crane	Hoke	Ney
Crapo	Horn	Norwood
Cremeans	Hostettler	Nussle
Cubin	Houghton	Oxley
Cunningham	Hunter	Packard
Davis	Hutchinson	Paxon
DeLay	Hyde	Peterson (MN)
Diaz-Balart	Inglis	Petri
Dickey	Istook	Pombo

Porter	Sensenbrenner	Tiahrt
Portman	Shadegg	Torkildsen
Pryce	Shaw	Upton
Quillen	Shays	Vucanovich
Quinn	Shuster	Waldholtz
Radanovich	Skeen	Walker
Ramstad	Smith (MI)	Walsh
Regula	Smith (NJ)	Wamp
Riggs	Smith (TX)	Watts (OK)
Roberts	Smith (WA)	Weldon (FL)
Rogers	Solomon	Weldon (PA)
Rohrabacher	Souder	Weller
Ros-Lehtinen	Spence	White
Royce	Stearns	Whitfield
Salmon	Stockman	Wicker
Sanford	Stump	Wolf
Saxton	Talent	Young (AK)
Scarborough	Tate	Young (FL)
Schaefer	Taylor (NC)	Zeliff
Schiff	Thomas	Zimmer
Seastrand	Thornberry	

## NOT VOTING—17

Bateman	Gephardt	Richardson
Clay	Harman	Rush
Clayton	Jefferson	Velazquez
Farr	Murtha	Wilson
Frisa	Nadler	Yates
Frost	Orton	

□ 1933

Mr. PETERSON of Minnesota and Mr. LATHAM changed their vote from “yea” to “nay.”

Mr. DUNCAN and Mr. STENHOLM changed their vote from “nay” to “yea.”

So the motion was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. ZIMMER). Without objection, the Chair appoints the following conferees: Messrs. ARCHER, CRANE, THOMAS, GIBBONS, and RANGEL.

There was no objection.

## TERM LIMITS

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

Mr. GUTIERREZ. Mr. Speaker, when you are given a contract read the fine print. The Contract With America suggests that those who ran on term limits actually believe in it. Well, the fine print allows those folks to hang on a lot longer unless we make term limits retroactive.

Let me suggest that if your Representative campaigned on cleaning out the barn, call them up and ask them, “OK, how long have you been in D.C.?”

Today, Mr. Speaker, I am going to submit an interesting list of names of those who support term limits of 6 to 12 years. You can get it on the Internet or in the copy.

I look at the list, and I see a gentleman from Florida first elected in 1980 who is a sponsor of one of these term-limit bills. I see a gentleman from my own State of Illinois, which reminds me, I forgot to congratulate the gentleman from Illinois [Mr. CRANE], first elected 26 years ago, for an award citing him as a term-limits hero. So let us do that right now.

Oh, yes, the Republican version, Mr. Speaker, of term limits, shows there is no limit to the length that they will go try to fool the American people.

## ORIGINAL SPONSOR AND COSPONSORS OF THE INGLIS AMENDMENT

(Providing that no person may serve in Congress more than 2 full terms as a Senator, and that no person may serve in Congress for more than 3 full terms as a Representative. Also provides that service as a Senator or Representative before the amendment takes effect shall not be taken into account in determining length of service.)

(All Representatives who have served more than three terms are in italic.)

## ORIGINAL SPONSOR

Inglis (1992)

## COSPONSORS

*Dornan (1976)*  
*Sanford (1994)*  
*Armey (1984)*  
*Goss (1988)*  
*Hutchinson (1992)*  
*Dickey (1992)*  
*Royce (1992)*  
*Hoekstra (1992)*  
*Lewis (KY) (1994)*  
*Salmon (1994)*  
*Graham (1994)*  
*Davis (1994)*  
*Heineman (1994)*  
*Chabot (1994)*  
*Smith (WA) (1994)*  
*Ganske (1994)*  
*Chrysler (1994)*  
*Ensign (1994)*  
*Cooley (1994)*  
*Christensen (1994)*  
*Fox (1994)*  
*Calvert (1992)*  
*Nethercutt (1994)*  
*Shadegg (1994)*  
*Metcalf (1994)*  
*Whitfield (1994)*  
*Bass (1994)*  
*Solomon (1978)*  
*Forbes (1994)*  
*Blute (1992)*  
*Smith (TX) (1986)*  
*Bachus (1992)*  
*Kim (1992)*  
*Riggs (1994)*  
*Longley (1994)*  
*Cox (1988)*  
*Smith (MI) (1992)*  
*Baker (CA) (1992)*  
*Weldon (FL) (1994)*  
*Coburn (1994)*  
*Radanovich (1994)*  
*Roth (1978)*  
*Packard (1982)*  
*Stump (1976)*  
*Everett (1994)*  
*Thornberry (1994)*  
*Allard (1990)*  
*Bono (1994)*  
*Cunningham (1990)*  
*Tate (1994)*  
*Dunn (1992)*  
*Talent (1992)*  
*Chenoweth (1994)*  
*Jones (1994)*  
*Burr (1994)*  
*Cubin (1994)*  
*Stockman (1994)*  
*Crane (1969)*  
*Peterson (MN) (1988)*  
*McIntosh (1994)*  
*Fields (TX) (1980)*  
*McCrery (1986)*  
*Barcia (1992)*  
*Minge (1992)*  
*Myrick (1994)*

ORIGINAL SPONSORS AND COSPONSORS OF THE  
MCCOLLUM AMENDMENT

(Providing that no person who has been elected to the Senate two times shall be eligible for election or appointment to the Senate, and that no person who has been elected to the House of Representatives six times shall be eligible for election to the House.)

(All Representatives who have served more than 3 terms are in *italic*.)

## ORIGINAL SPONSORS

*McCollum (1980)*  
*Hansen (1980)*  
Peterson (MN) (1990)  
Lobiondo (1994)

## COSPONSORS

*Lightfoot (1984)*  
Gillmor (1988)  
Allard (Deleted Feb 7, 95) (1960)  
*Armey (1984)*  
Bachus (1992)  
Baker (CA) (1992)  
*Ballenger (1984)*  
Barcia (1992)  
Barr (1994)  
Barrett (NE) (1992)  
Bartlett (1992)  
Bass (1994)  
*Bereuter (1978)*  
Bilbray (1994)  
Bilirakis (1992)  
Blute (1992)  
Bonilla (1990)  
Brownback (1994)  
Bryant (TN) (1994)  
*Bunning (1986)*  
Burr (1994)  
Buyer (1992)  
Calvert (1992)  
Camp (1990)  
Canady (1990)  
Chambliss (1994)  
Christensen (1994)  
*Coble (1984)*  
Collins (GA) (1992)  
Cooley (1994)  
*Crane (1969)*  
Cremeans (1994)  
Cunningham (1990)  
Deal (1992)  
Diaz-Balart (1992)  
Dickey (1992)  
Doolittle (1990)  
Dunn (1992)  
English (1994)  
Ensign (1994)  
Everett (1992)  
Ewing (1990)  
*Fields (TX) (1980)*  
Flanagan (1994)  
Foley (1994)  
Forbes (1994)  
Fox (1994)  
Franks (CT) (1990)  
Frisa (1994)  
Funderburk (1994)  
*Gallegly (1986)*  
Ganske (1994)  
*Gekas (1982)*  
Goodlatte (1990)  
Goss (1988)  
Graham (1994)  
Greenwood (1992)  
*Gunderson (1980)*  
Gutknecht (1994)  
Hancock (1988)  
Harman (1992)  
Hastings (WA) (1994)  
Hayworth (1994)  
Hilleary (1994)  
Hobson (1990)  
Hoekstra (1992)  
Hoke (1992)  
Horn (1992)  
*Houghton (1986)*  
Hutchinson (1992)  
Inglis (1992)  
Istook (1992)

Sam Johnson (1990)  
Kim (1992)  
Kingston (1992)  
Klug (1990)  
Knollenberg (1992)  
LaHood (1994)  
Latham (1994)  
LaTourette (1994)  
Lazio (1992)  
*Leach (1976)*  
Lewis (KY) (1994)  
Linder (1992)  
Lucas (1994)  
McIntosh (1994)  
McKeon (1992)  
Meehan (1992)  
Metcalf (1994)  
Mica (1992)  
Miller (FL) (1992)  
Minge (1992)  
Myrick (1994)  
Neumann (1994)  
Ney (1994)  
Norwood (1994)  
Nussle (1990)  
*Packard (1982)*  
Paxon (1988)  
Pombo (1992)  
Portman (1993)  
Pryce (1992)  
Quinn (1992)  
Ramstad (1990)  
Radanovich (1994)  
Riggs (1994)  
Rohrabacher (1988)  
Royce (1992)  
*Saxton (1982)*  
Scarborough (1994)  
*Schaefer (1983)*  
Seastrand (1994)  
Shadegg (1994)  
*Shaw (1980)*  
Smith (MI) (1992)  
*Smith (TX) (1986)*  
*Solomon (1978)*  
Souder (1994)  
Stearns (1988)  
Stockman (1994)  
*Stump (1976)*  
Talent (1992)  
Taylor (NC) (1990)  
Thornberry (1994)  
Tiahrt (1994)  
Torkildsen (1992)  
*Upton (1986)*  
Waldholtz (1994)  
Wamp (1994)  
Weller (1994)  
White (1994)  
Whitfield (1994)  
*Wilson (1972)*  
Zeliff (1990)  
Zimmer (1990)  
McInnis (1992)  
*Hayes (1986)*  
*Meyers (1984)*  
*Walker (1986)*  
Deutsch (1992)  
Coburn (1994)  
*Goodling (1974)*

## PERSONAL EXPLANATION

Mr. FARR. Mr. Speaker, on rollcall 272, I was not present for that rollcall. Had I been here, I would have voted aye. I would like the RECORD to reflect that, immediately following the vote.

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

There was no objection.

PERMISSION FOR CERTAIN COMMITTEES TO SIT TOMORROW,  
WEDNESDAY, MARCH 29, 1995,  
DURING 5-MINUTE RULE

Mr. IGNLIS of South Carolina. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit tomorrow while the House is meeting in the Committee of the Whole House under the 5-minute rule:

The Committee on Agriculture, the Committee on Banking and Financial Services, the Committee on Commerce, the Committee on Economic and Educational Opportunities, the Committee on Government Reform and Oversight, the Committee on International Relations, the Committee on the Judiciary, the Committee on National Security, the Committee on Resources, the Committee on Small Business, and the Committee on Transportation and Infrastructure.

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

There was no objection.

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

TERM LIMITS: THEIR TIME HAS  
COME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, we are almost ready to embark on a great decision of whether we should have term limits for Members of the United States Congress. When George Will writes about term limits, he uses a couple of baseball stories to illustrate his point.

When Earl Weaver was managing the Baltimore Orioles, he used to shove his chin into the chest of the umpire and shout at the top of his lungs: "Are you going to get any better, or is this it?" Well, the American people have decided that their Government in Washington is not going to get any better, something has to be done, this can't be it.

When the Washington Senators were owned by Clark Griffith, he said one day after the opposing teams had hit a bunch of home runs: "Fans like home runs, and we have assembled a pitching staff to please our fans." Term limits are a way of correcting this approach to Government.

The foundation of American thought with regard to Government goes as far back as the Athenian democracy, but I think it owes a good deal to the British political philosopher John Locke, who described government as a necessary nuisance to cope with inconveniences. Locke's view was we didn't need a powerful government to overcome the inability of Americans to deal with each other.

As with George Will, I have changed my mind on term limits. I now believe they are necessary to restore the faith of our Government. Alexander Hamilton, in the Federalist Paper No. 68, wrote: "The true test of a good government is its aptitude and tendency."

As we look over the last 30 years, what has been the aptitude and tendency of this Government? The aptitude and tendency is to borrow, to tax, to spend, and to perpetuate ourselves in office.

For example, this Government has now spent \$5 trillion coping with our welfare problem. We have resulted in a permanent underclass. We have got a Social Security system that is teetering on the brink of bankruptcy.

What have we done for future generations? We have gone into debt \$5 trillion, thinking that what we do now is more important than giving them a responsibility to pay for our overindulgences. Is this it, or can we do better? I have come to believe in term limits only after examining our Government from the inside.

The Founding Fathers were aware of term limits. Mr. Speaker, I wonder how many Members of Congress know that term limits existed in the Articles of Confederation. While recognizing the inherent problem of perpetuating oneself in office, the Founding Fathers did not include term limits in our Constitution because at that time it wasn't a very fun job. It wasn't pleasant to be in Congress.

At that time, and they were to a great extent correct, the living wasn't good, and it was hot in Washington. It wasn't until after the Civil War that we saw the advent of the career politician in Washington.

Today, as we look at the modern Federal Government, it is obvious that things have changed. We do not have the citizen legislator that the Founders envisioned. We have failed to heed Jefferson's warning about public office. He said "Whenever a man casts a longing eye upon them, a rottenness begins in his conduct."

The Congress and the rest of the Federal Government has become a system of career politicians.

□ 1945

It is a problem where we now depend on this career for our livelihood. Can you imagine the career politician that wants this good-paying job when it comes to the tough leadership decisions that are often asked of Members of Congress? When it becomes a conflict between that career and a good-

paying job and making the tough decisions, too often we see too many taking the easy road to perpetuate their own job in office.

Some people argue that we have term limits now. It is in the ballot box. But the reality evident to anyone who takes a look at this system, it is heavily weighted towards incumbents.

Let us look at this last election, which is such a good example, some people say, of the power of the people to exercise their own term limits. It didn't happen. Most incumbents won. Most of the PAC money went to incumbents.

And it is important, Mr. Speaker, that we do something to make this Government better, more responsive to the people. I suggest that something is to exercise term limits and our votes to include it in the Constitution.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. MFUME] is recognized for 5 minutes.

(Mr. MFUME addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### THE NEED FOR TERM LIMITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN. Mr. Speaker, I thought the remarks of the gentleman from Michigan [Mr. SMITH] on term limits were excellent.

I am not a convert on this. I came to this Congress in 1976 and declared in January of 1976 to campaign all that year. And in my declaration of candidacy remarks on January 27, 1976, one of the principal things I mentioned was the importance of term limits.

I had gotten out of the Air Force at 24 years of age and hoped to be a younger Member of Congress in my 30's to serve, at that time, I thought 10 years was a good figure, and leave.

I watched the person in my congressional district never get on what we would consider a middle level committee, let alone one of the serious committees like Ways and Means or Appropriations, Armed Services, Foreign Affairs, Judiciary. Just wasted 18 years, burned him up, did nothing. But he was tall, handsome and the son of a multimillionaire and wasted 18 years doing nothing, accomplishing nothing.

But he had the money to defend his seat and voting as a moderate Republican which staved off any challenge from the left in the general election, it was basically a Republican seat, and always having the money to block a conservative challenger or even a radical activist moderate who might want to do something with the seat.

So I have been for term limits all of my adult life. And I hope, although the odds are diminishing, that we are going to pass it. I hope that our Speaker is right, and that NEWT GINGRICH says Congress after Congress, if we leave

this place in the majority control of the GOP for the next several Congresses, we will get it passed sooner or later.

#### ROMAN CATHOLIC REPRESENTATIVES

Mr. DORNAN. Mr. Speaker, what I have come to the floor to talk about is something very uncomfortable. I think it is a very good reason for term limits and the end of careerism, and that is that people of my Christian denomination come to this House, Roman Catholics so enamored with hanging on to this \$133,600 a year job that they will waffle on moral issues of principle, sell their souls almost literally, reject the admonition in the Scripture, "What does it profit a man to gain the world or a lousy seat in the House or the Senate and endanger his soul."

They come here and reject Mother Teresa's words about the importance of abortion as a terrible blight upon civilization, one that can literally cause the decline of civilization around the world, and is.

They reject the teaching of the Pope in Rome and the new encyclical coming out the day after tomorrow called *Evangelium Vitae*, the gospel of life. The hammer is coming down from the boss in Rome for those who are loyal to the teaching authority of the church.

Members in this House and Senate will make light of abortion. They will go against every single bishop, no matter how flaky or liberal a bishop on the left might be. There is not a single bishop, 300-plus in the United States, who wavers on what Vatican Council Number II called an unspeakable crime, what the church carefully delineates as intrinsically, inherently evil. They will waffle all over the place on this issue. Others will stay steadfast even if it jeopardizes their seat election after election.

That is why I am going to put in the RECORD tonight the list of all of the Catholics by name in this House and then do no follow-up on it, probably not. But ask everyone who is proud enough of his faith to put Catholic in their biographies and all of our major directories here to tell the press they are a Catholic.

If they are proud enough to do that, then they have an opportunity before we have our first abortion vote in this chamber or in the U.S. Senate to come home to renew themselves, to think about that little boy or girl they were at their First Communion, to think about their Confirmation when they became a soldier for Jesus Christ, to put their soul first, to put not giving a bad example to young people all across this country first, and to come home on that first vote.

We know how difficult it is in this Chamber and the other when you vote against your conscience and you have flipped, flipped out morally and voted against the teaching of your church. We know how difficult it is to flop back. Nobody wants to be a flip-flopper.

But I would say here it is a new day, a new Congress. The GOP is in control, at least for another year and 7 months. Come home. Vote with Mother Teresa. Recognize abortion for the intrinsic evil and the unspeakable crime that it is. And you are going to feel good because careerism has made cowards out of at least a third of Catholics in this House and out of the majority of Catholics in the other body.

The figures are there. We are at an all-time high: 128 in the House, 21 in the Senate; 74 Democrats, 54 Republicans in this Chamber.

I repeat for the fifth time, come home before we have that vote in the next 2 months. And, with that, Mr. Speaker, I submit the list of all those proud enough to call themselves Roman Catholics in their biography for the official record.

The list referred to follows:

[From the Southern Cross, Feb. 9, 1995]

TOTAL CATHOLICS IN CONGRESS SETS RECORD;

MORE GOP CATHOLICS, TOO

(By Patricia Zapor)

WASHINGTON.—At a record 149, there are seven more Catholics in the 104th Congress than two years ago, and a greater percentage of them are Republican than in previous sessions.

According to *Congressional Quarterly*, Catholics constitute the largest single denomination, as they have for decades, although Protestants dominate as a group with 344.

The Senate has 21 Catholics, the House 128—a shift since 1992 from the 23 Catholic senators and 119 Catholic members of the House when the 103rd Congress began.

Of this session's Catholics, nine senators and 54 members of the House are in the GOP, the most Catholic Republicans ever in Congress.

The next-largest single denomination is Baptist, with 67. There are 62 Methodists, 56 Presbyterians, 49 Episcopalians, 20 Lutherans and 14 Mormons, according to biographical questionnaires compiled by *Congressional Quarterly*. Another three senators and three representatives belong to Eastern Christian churches, including Greek and Eastern Orthodox.

The remainder of members listing Christian churches were in an assortment of denominations including Christian Scientist, Seventh-day Adventists, Unitarian and Church of Christ.

Thirty-four members are Jewish and seven were listed as "unspecified or other."

By state and party affiliation, the Catholic members of the 104th Congress are:

#### SENATE

Alaska: Frank H. Murkowski (R).  
Connecticut: Christopher J. Dodd (D).  
Delaware: Joseph R. Biden Jr. (D).  
Florida: Connie Mack (R).  
Illinois: Carol Moseley-Braun (D).  
Iowa: Tom Harkin (D).  
Louisiana: John B. Breaux (D).  
Maryland: Barbara A. Mikulski (D).  
Massachusetts: Edward M. Kennedy (D) and John Kerry (D).  
New Hampshire: Robert C. Smith (R).  
New Mexico: Pete V. Domenici (R).  
New York: Alfonse M. D'Amato (R), Daniel Patrick Moynihan (D).  
Ohio: Mike DeWine (R).  
Oklahoma: Don Nickles (R).  
Pennsylvania: Rick Santorum (R).  
South Dakota: Tom Daschle (D), and Larry Pressler (R).

Vermont: Patrick J. Leahy (D).

Washington: Patty Murray (D).

#### HOUSE OF REPRESENTATIVES

Alabama: Sonny Callahan (R).

Arizona: Ed Pastor (D).

California: Bill Baker (R); Xavier Becerra (D); Brian P. Bilbray (R); Sonny Bono (R); Christopher Cox (R); Robert K. Dornan (R); Anna G. Eshoo (D); Matthew G. Martinez (D); George Miller (D); Nancy Pelosi (D); Richard W. Pombo (R); George P. Radanovich (R); Lucille Roybal-Allard (D); Ed Royce (R); Andrea Seastrand (R).

Colorado: Scott McInnis (R); Dan Schaefer (R).

Connecticut: Rosa DeLauro (D); Barbara B. Kennelly (D).

Delaware: Michael N. Castle (R).

Florida: Lincoln Diaz-Balart (R); Mark Foley (R); Pete Peterson (D); Ileana Ros-Lehtinen (R); E. Clay Shaw Jr. (R).

Georgia: Cynthia A. McKinney (D).

Guam: Robert Anacleto Underwood (D).

Illinois: Jerry F. Costello (D); Richard J. Durbin (D); Lane Evans (D); Michael Patrick Flanagan (D); Luis V. Gutierrez (D); Henry J. Hyde (R); Ray LaHood (R); William O. Lipinski (D).

Indiana: Andrew Jacobs Jr. (D); Tim Roemer (D); Peter J. Visclosky (D).

Iowa: Greg Ganske (R); Jim Ross Lightfoot (R).

Kentucky: Jim Bunning (R).

Louisiana: W.J. "Billy" Tauzin (D).

Maine: John Baldacci (D); James B. Longley Jr., (R).

Maryland: Constance A. Morella (R).

Massachusetts: Peter I. Blute (R); Joseph P. Kennedy II (D); Edward J. Markey (D); Martin T. Meehan (D); Joe Moakley (D); Richard E. Neal (D); Martin T. Meehan (D); Joe Moakley (D); Richard E. Neal (D); Peter G. Torkildsen (R).

Michigan: James A. Barcia (D); David E. Bonior (D); Dave Camp (R); John D. Dingell (D); Dale E. Kildee (D); Joe Knollenberg (R); Bart Stupak (D).

Minnesota: Gil Gutnecht (R); William P. Luther (D); James L. Oberstar (D); Bruce F. Vento (D).

Mississippi: Gene Taylor (D).

Missouri: William L. Clay (D); Pat Danner (D); Karen McCarthy (D); Harold L. Volkmer (D).

Montana: Pat Williams (D).

Nevada: Barbara F. Vucanovich (D).

New Jersey: Frank A. LoBiondo (R); Bill Martini (R); Robert Menendez (D); Frank Pallone Jr. (D); Christopher H. Smith (R).

New Mexico: Bill Richardson (D); Joe Skeen (R).

New York: Sherwood Boehlert (R); Michael P. Forbes (R); Maurice D. Hinchey (D); Peter T. King (R); John J. LaFalce (D); Rick A. Lazio (R); Thomas J. Manton (D); John M. McHugh (R); Michael R. McNulty (D); Susan Molinari (R); Bill Paxon (R); Jack Quinn (R); Charles B. Rangel (D); Jose E. Serrano (D); Nydia M. Velazquez (D); James T. Walsh (R).

North Carolina: Walter B. Jones Jr. (R).

Ohio: John A. Boehner (R); Steve Chabot (R); Marcy Kaptur (D); Bob Ney (R); James A. Traficant Jr. (D).

Oregon: Peter A. DeFazio (D).

Pennsylvania: Robert A. Borski (D); William J. Coyne (D); Mike Doyle (D); Phil English (R); Thomas M. Foglietta (D); Tim Holden (D); Paul E. Kanjorski (D); Frank Mascara (D); Joseph M. McDade (R); Paul Muhale (D); John P. Murtha (D).

Puerto Rico: Carlos Romero-Barcelo (D).

Rhode Island: Patrick J. Kennedy (D); Jack Reed (D).

Texas: Bill Archer (R); E. "Kika" de la Garza (D); Henry B. Gonzalez (D); Frank Tejeda (D).

Virginia: Thomas J. Bliley Jr. (R); James P. Moran Jr. (D).

Washington: Richard "Doc" Hastings (R).

Wisconsin: Thomas M. Barrett, (D); Gerald D. Kleczka (D); Scott L. Klug (R); David R. Obey (D); Toby Roth (R).

#### RELIGION ON THE HILL

Affiliations for members of the 104th Congress: 344 Protestant, 149 Catholic, 34 Jewish, 6 Orthodox, and 7 Other.

Source: Congressional Quarterly.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon [Mr. DEFAZIO] is recognized for 5 minutes.

[Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. FORBES] is recognized for 5 minutes.

[Mr. FORBES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. STUPAK] is recognized for 5 minutes.

[Mr. STUPAK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### PRIVATE FUNDING FOR NEA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. HANCOCK] is recognized for 5 minutes.

Mr. HANCOCK. Mr. Speaker, Last night multimillionaire Hollywood actors, actresses, and producers—one after another—got up to accept their Oscar during the Academy Awards and ranted on national television about the need to preserve Federal taxpayer funding for the National Endowment for the Arts.

For most people these petty little tirades about the NEA were probably just annoying. But I got angry. Think about those spoiled rich elitists preaching to hard-working, middle-class Americans that America's families should make more sacrifices to fund a Federal Arts bureaucracy in Washington.

Nearly all the people in that room were multimillionaire entertainers. God bless them for being successful. I don't begrudge them their success. But if they really believe the work of the NEA is so important, they should start up a foundation and put their own money where their mouth is.

Steven Spielberg and Quincy Jones could personally fund the Endowment at its present funding levels with a portion of their annual incomes. Half of the proceeds from the movie *Forrest Gump* could fund the Endowment. I didn't hear any such offers from any celebrities. It is an outrage to have

these people tell viewers across America who are making \$5 and \$6 an hour or \$20,000 and \$30,000 a year that they should be making more sacrifices as taxpayers so we can have money for the NEA.

I have nothing against the arts. I have personally contributed to the arts in my community. We need symphonies, community theatres, and local museums. Unlike the Hollywood hypocrites I have put my money where my mouth is.

But I am definitely opposed to further taxpayer funding of the arts. There are other priorities in the Federal budget that are just more important, especially when the arts can and should be supported privately by those with the means to do so.

The other problem with a government-funded arts program are the bizarre things that get funded when you trust bureaucrats with taxpayer dollars. I am not talking about the morally obscene grants, like the pornographic Mapplethorpe photos and the Annie Sprinkle nude show—although those are definitely outrageous examples of abuse. I am talking about more mundane examples of waste and abuse.

Let me give you an example of a typical NEA grant. My hometown newspaper, the Springfield News-Leader, did a story on March 20 on a constituent of mine who recently received a \$20,000 NEA grant to aid him in his work as a poet. A lot of people contacted my office and talked to me personally about this article.

I will call this individual Mr. Grantee which is not his name.

Mr. Grantee of Willard, MO is a creative writing professor at Southwest Missouri State University making \$42,000 a year—a salary funded by the taxpayers. His wife works on the government payroll as a nurse for the public school system. He says his \$20,000 NEA grant will supplement his income so he won't have to teach summer school, allowing him to concentrate on his poetry.

Mr. Grantee says: "I will have less stress. I have a clearer creative mind." A \$20,000 government grant would relieve a lot of stress for a lot of people, including those who don't already draw a government-paid family income of \$60,000 or more a year.

Mr. Grantee, a very honest fellow, says he has already incorporated the money into his family budget. He says he used some of the funds to buy a dishwasher and an airline ticket to a conference. He also says he plans to buy a personal computer. I can think of a lot of Americans who wouldn't mind the government buying them appliances or paying for their personal travel.

We are promised by Mr. Grantee in the article that he will produce at least one book of poetry and that he will even begin work on a second before the grant money runs out—books he intends to commercially publish, no

doubt, and for which he will receive royalties.

I have nothing against Mr. Grantee personally, and I regret the need to use him as an example. But this sort of routine grant is exactly what is wrong with the NEA. When there are so many competing budget priorities, when hard-working taxpayers are already so burdened, I just cannot justify taking money from families—many of them making less than Mr. Grantee—to buy college professors dishwashers and supplement their Government salaries to relieve them from the stress of paying bills.

Frankly, it is an outrage. While the flaky, politically correct Hollywood crowd on the West Coast may look down on my unsophisticated concern for the average taxpayer, the time has come to defund the National Endowment for the Arts and get the Government out of the art business once and for all.

Worthy art—whether it is Mr. Grantee's poetry or the local symphony—can survive with private support. Those who are spending so much energy and effort now to reserve taxpayer funding can and should turn their energy and effort toward private fundraising. That includes our self-righteous friends in Hollywood.

If the public will not support certain artistic endeavors through their voluntary contributions, I hardly see why I, as their elected representative, should force them to spend their tax dollars on them.

#### TERM LIMITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. BRYANT] is recognized for 5 minutes.

Mr. BRYANT of Tennessee. Mr. Speaker, I rise tonight in strong support of term limits.

There is a pervasive consensus among the American public to see Congress enact them.

The people of Tennessee who I represent are ready to see Congress move beyond power and politics and start functioning as a true representative body of the public.

Term limits will allow that to happen more than anything else.

Already, some 42 percent of the Members of Congress are currently serving under term limits.

And many cities and communities, including New York and Los Angeles—both renowned for politics and political entrenchment—have imposed term limits on their Government officials.

The first doctrine by which this country was governed—the Articles of Confederation—contained term limits.

I believe had our Founding Fathers foreseen some 200 years into the future how the purpose of public service has been interpreted, they would have placed term limits in the constitution.

Mr. Chairman, opponents of term limits will argue that elections such as

this past November exemplify exactly why we don't need term limits.

But the fact of the matter is that over 90 percent of all incumbents were re-elected this past November.

The issue before us tonight is paramount to keeping our word with the American people.

Literally every poll shows they want to see term limits enacted.

As public servants, I believe the words of former South Dakota Senator George McGovern are a grim reminder to us all why Congress needs term limits.

When the Senator left the U.S. Senate after 18 years to open his own business, he had this to say:

"I wish I had known a little more about the problems of the private sector . . . I have to pay taxes, meet a payroll—I wish I had a better sense of what it took to do that when I was in Washington."

I urge my colleagues to support the will of the people and enact term limits.

□ 2000

As I mentioned earlier, tomorrow this House will vote as far as I know for the first time on the floor on a bill that involves term limits. And I know there has been a lot of talk about term limits across the country. Many of us campaigned on that as freshmen. We subscribed to the Contract With America. And I believe most of my freshmen colleagues support this very strongly.

I think, though, there is a real opportunity for us tomorrow to bring to the floor those votes that represent Americans and vote for term limits. I think many believe that term limits will not pass. I think it will pass. I can assure the American public that tomorrow probably 80 percent or more of the Republicans will vote for term limits. The Republican Party can deliver on its votes for term limits.

And if we can get just half of the other side, 50 percent of the Democrats to vote for term limits tomorrow with us, we can see to it that a constitutional amendment is passed and that the American public, which overwhelmingly supports term limits, will have that constitutional amendment passed out of this House of Representatives.

I urge my colleagues on both sides of the aisle to work with us in a bipartisan fashion. Again, we can deliver the 80 percent of the Republicans if they can deliver the 50 percent, the one-half of the Democrats needed. And I believe so strongly in this that if we do not pass this term limits amendment, that many of the people who go up for reelection next year, in 1996, cannot possibly defend their vote against term limits to their constituents, and if this vote tomorrow does anything beyond hopefully passage, it will make everyone in this House vote up or down, yes or no for term limits for the first time ever, not bottled up in committee, but on the House floor for the first time

and then the American public, each constituency, each constituent voter in the district can then see very clearly how their Congressman feels about term limits by looking at how they vote tomorrow.

With the difficulty of defending such a vote I would ask all of my colleagues to consider if they have any doubt about this amendment, consider voting for it. This is what the public wants, this is what is best for this country, and I urge my colleagues to vote for term limits tomorrow when they cast their vote for the first time ever on this House floor.

#### TRIBUTE TO BRIAN SCHLIENTZ

The SPEAKER pro tempore (Mr. ZIMMER). Under a previous order of the House, the gentleman from Michigan [Mr. STUPAK] is recognized for 5 minutes.

Mr. STUPAK. Mr. Speaker, I rise today with a heavy heart. Last Saturday my Upper Peninsula representative, Brian Schlientz, died. Brian was 27 years old. He had courageously battled a rare form of brain cancer. His life was brief, but it was filled with church and social activities, academic and athletic achievements, and community involvement.

Some would say success always came easy for Brian. But his greatest success was Brian's love of God, his family, and his country.

It is difficult to articulate success as it applies to faith in God. It is difficult to describe love of family when cancer denied Brian his wedding day 3 weeks ago on March 4.

For some people, it is hard to envision one's love for their country when Brian never served in the armed services; still Brian left his college studies to help me get elected to Congress in 1992. Just to help me? No, but to help his country, for Brian believed with all his heart in life.

He worked so long, so hard, just so a right-to-life Democrat could be elected to the U.S. Congress.

It was Brian's love of God, his family, and his country that propelled him to become an extraordinary person.

Brian is survived by his parents Don and Dorothy, his twin brother Matt and Matt's wife, Tiffany, Brian's sister, Heidi, his brother-in-law, Chad, and his devoted fiancée, Kristy, many relatives and all of his many, many friends.

To his family and to each of us, Brian has his own special significance. He had his own personal impact on all of us. When we gather at Northern Michigan University this Thursday for a memorial service for Brian, a university where he starred in academics and on the football field, we will all have our own personal songs, thoughts, and prayers for Brian and his family. While there is certainly sadness in our hearts, it is quickly being replaced by joy, much like this holy season of Lent in which we sacrifice and we try to cleanse our spiritual life just to experi-

ence the joy and the holy significance of Easter Sunday. So too should we all bask in the joy of Brian's life, the joy of knowing him, the joy of his love for each of us.

Just think of the joy that Brian brought to each of us.

As my Upper Peninsula congressional representative, Brian and I traveled together, we worked together and we prayed together. Brian was a joy to be around. You wanted to be with Brian. He brought out the best in everyone.

As Brian and I would drive the vast distances between the small towns that comprise the Upper Peninsula of Michigan our discussions always seemed to turn to his love for God and the difficulty, yet the strength and the joy he found in being, and working with and for a right-to-life Democrat.

Brian excelled in his position as my Upper Peninsula representative because of his love, joy that he had in God, his family, and this great country.

Although he already had one bachelor's degree in biology and chemistry, Brian went back to his studies so he could become a teacher. But, Brian, you are a teacher. Brian, you have been a great teacher and for all of us, Brian, you will continue to be a great teacher. As you look down upon all of us with that huge smile upon your face, I know that you will grade us not in the classroom, not in our academic and athletic achievements, but in the joy, strength, and love that we bring to each other. For you taught us, teacher, that the joy, success, and accomplishment in life is found in one's love of God, family, and country.

Thank you, Brian, for teaching us and reminding us of the secret: the success and the joy of your life.

#### SUPPORT CONSTITUTIONAL AMENDMENT TO LIMIT CONGRESSIONAL TERMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa [Mr. LATHAM] is recognized for 5 minutes.

Mr. LATHAM. Mr. Speaker, I rise today to express my strong support for adding a term limitation amendment to the Constitution of the United States.

At virtually every opportunity, American voters have demonstrated their preference for term limitation for their elected officials. They have seen too often how entrenchment of political power yields a political culture that is less responsive and less responsible.

The Washington political and media culture has uniformly lined up in opposition to the term limits movement. That should be our first sign that the American people are on to something positive.

The most frustrating aspect of listening to term limit opponents and most of the media has been their refusal to discuss this issue intelligently, but

rather reject it out of hand. Much like the situation with the balanced budget amendment, opponents of term limits have relied on knee-jerk reactions against term limits rather than thoughtful discussion of the problems in the system and the need for systemic reform.

So, I'd like to address some of the arguments against term limits individually:

One, term limits would deprive the American people of experienced elected officials to address the Nation's problems.

Of all the arguments against term limits, this is the one most often cited by thoughtful term limits opponents. What I would point out, however, is that Congress is enriched when it is filled by persons with experience in all walks of life—not just legislating.

For too long, the way to real power inside Congress has been to come to Washington young and spend decades building up seniority.

Too many districts have been represented by men or women who've spent more of their adult lives in Washington than in the district they are supposed to represent.

By adopting term limits, a person who had worked successfully as a small business person, or a school teacher, or a homemaker could come to Washington later in life and still have the opportunity to play a major role in the process based on merit.

Two, term limits opponents also argue that term limits restrict the choices of the voters, giving us less freedom.

I think anyone who has ever looked at the reelection rates of Members of Congress immediately understands the weakness of this argument. Even in this last election more than 90 percent of the incumbent House Members who stood for reelection were returned to office.

The fact of the matter is that it is extremely difficult to beat an incumbent except in extraordinary years. By placing a limit on length of service, virtually every congressional district in this country would become competitive because local political organizations would not wither away waiting for a 20-term Congressman to finally move along.

Instead, Members would likely continue to face very competitive elections in their first few years after their election.

However, instead of becoming isolated and entrenched, even the most popular incumbent would likely face challenges during his or her later terms by those interested running in the future.

I believe that would drastically reduce the number of uncontested seats and contribute to a substantial increase in competitive races. That, not theoretical arguments about limiting choices, would be the real world impact of term limits.

Three, last year, we saw the embarrassing spectacle of long-time incumbents reduced to telling their electorates that they should be reelected strictly because of their seniority.

This type of campaigning amounts to a threat to the very people these representatives were supposed to represent. It's like trying to make your own constituents an offer they can't refuse. That's not what this democracy should be about.

Seniority has become the last refuge of a politician with nothing left to say. Term limits would hold our elected officials to a higher standard of political debate—policies, responsiveness, and accomplishments.

Four, the final argument I would like to address is the claim that if we want to limit a politician's terms, we should vote that person out of office.

The problem with this point is that a State with an entrenched incumbent often has a great incentive to keep that person in office for decades at a time. From a key committee position, one person representing less than one-quarter of 1 percent of the country's population can dominate an area such as appropriations, commerce, or defense policy for decades.

That is the very type concentration of power that we have traditionally sought to avoid in this country. No one district, and no one State, should be able to hold the rest of America hostage to its agenda or the whims of its favorite son.

One of the things that compelled me to run for Congress was that as a small businessman my family business was forced to pay tens of thousands of dollars to meet the dictates of entrenched incumbents here in Washington. I couldn't vote for these representatives who were dominating some of the committees that directly impacted my business, but I was paying the bill. I knew that passing term limits was one way to change that.

The new Republican majority has taken a giant step forward in addressing this problem by limiting the terms of committee and subcommittee chairmen, as well as the Speaker of the House. But, we need to keep moving ahead.

#### CONCLUSION

Mr. Speaker, as this country moves into the 21st century, I believe that we will need the input and expertise of Americans from every background and profession. The argument against term limits places a premium on experience in Congress and discounts experience in every other part of life.

That is a formula for a ruling class detached from those who they represent. That is the opposite of government of, by and for the people.

Adoption of a term limitation constitutional amendment would return us to a true citizen legislature and help win back the faith of the American people in our democracy. I urge my colleagues to vote for the version of term

limits they support and vote "yes" on final passage of this resolution.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. TIAHRT] is recognized for 5 minutes).

[Mr. TIAHRT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### TERM LIMITS A NECESSITY FOR GOOD GOVERNMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, term limits, the contract item with perhaps the most public support, comes to the floor of the House tomorrow and some say it has the least chance of passage. I hope not. Eighty percent of the Republicans at least support it, all we need is 40 percent of the Democrats in the House to support it for passage.

In my view, term limits are not only a reasonable approach but a necessity for good government. Some will argue that the results of the last election in November which brought each of my colleagues here to the 104th Congress indicate the need. However, the fact is that despite an above average turnover in the 103d and 104th Congresses, incumbents still enjoy a 9 in 10 chance of reelection. More importantly, in the 103d Congress the average tenure of Democrat committee chairmen was 28 years.

The fact is that the current system allows certain people to spend a lifetime in Washington while some quickly fall out of touch with their constituents and consolidate the power base that used to ensure continued success in passing wasteful and pork barrel programs.

□ 2015

Additionally, these career Members of Congress continue to stockpile money from special interest groups, making all the more unlikely that they could be defeated. The disparity of fund-raising capability discourages many qualified individuals from running in the first place.

After California passed term limits in 1990, the number of candidates for office increased by 40 percent.

Mr. Speaker, after 40 years of one-party rule in this Congress, before last November, Congress had grown insulated, unresponsive to the will of the American people. President Clinton has consistently opposed even the consideration of term limits and will again defend the status quo.

Now with Republicans in control of the U.S. Senate and the U.S. House of Representatives, for the first time in history we will vote on term limits. I am committed to passing term limits, and I am working with like-minded Members of Congress to create a citizen legislature that is accountable to

the American people and not beholden to the special interests.

Term limits will end congressional careerism, and the American people will be better served under this kind of reform.

There are three major Republican bills that will come before the House, the Inglis bill, which calls for 6 years maximum, the McCollum bill, 12 years, and then Hilleary's bill, which calls for the States to decide the exact terms. Whatever the bill is, we believe that term limits is a step in the right direction, an idea whose time has arrived.

American democracy cannot be considered truly representative in the current system that perpetuates incumbency and seniority-based power. The seniority system forces a network that doles out power and influence according to time spent in office. Term limits will cause a systemic change in this internal power structure of the Congress. Instead of committee chairs and appointed leadership positions being granted on the basis of seniority, merit and competency will be the basis for our future leaders.

#### CONGRESSIONAL TERM LIMITS

The SPEAKER pro tempore [Mr. ZIMMER]. Under a previous order of the House, the gentleman from South Carolina [Mr. GRAHAM] is recognized for 5 minutes.

Mr. GRAHAM. Mr. Speaker, I would like to thank the other participants who are going to let me go at this point in time.

You have heard a lot of good intellectual arguments why we need term limits. I am sure there will be some made tonight and tomorrow why term limits is a bad idea.

All I know is this, that of the 73 Republican freshmen that serve in this body, probably 90-95 percent of us support term limits. I think we are very close to the people in terms of the last election. I think the sophomore class above us has a high percentage of people supporting term limits, because we understand why 80 percent of the American public wants this body to impose term limits on itself.

Having said that, one thing that I think I need to say is that term limits is not going to cure every problem in America, and it should not be billed that way. It is not going to make us overnight more efficient. It is not going to balance the budget. But it will fundamentally change why people come to Washington, DC, and why they seek office.

What it will do in my opinion is you stop playing the game to become a subcommittee chairman, a committee chairman, and see how far you can go. You try to make the world better that you are going back to rather than try to make the world better that you are in up here.

I think the fundamental reason we need term limits in this country, Mr.



Speaker, is to change the motivation of why people come to Washington, DC. I think spending will get better. I think a lot of things will get better up here. They will be less interested in trying to find a pork-barrel project to get us reelected and more interested in trying to make the world better where we are going to go back to, and that is home.

There are going to be four versions to be voted on tomorrow. I think we are going to fall short on all four of them. I am sorry. There is a lot of blame to go around. I tell you, the Republican Party has some share in that blame, and certainly the Democrat Party does, too.

We are probably going to deliver 80 to 85 percent of the Republican Conference on term limits. We need help from the Democratic Party. If you had every Republican voting for term limits, you would still need 60 Democrats. We are going to fall short for a variety of reasons, and I think the blame needs to be bipartisan.

We have got four versions to vote on. One version is by my roommate here, the gentleman from Tennessee [Mr. HILLEARY]. He has a version that says 12 years, and if there is an existing State law more restrictive, it stands. I like that version. That is why I came to Washington, DC, was to improve Congress, not to overshadow the States. That is the best, I think, of the four. I am going to vote for all four.

Because I do not want it to be said the reason it failed was because of LINDSEY GRAHAM. I am going to vote for the Democratic version that says 12 years retroactively applied which simply means this, if you have been here 12 years or longer and the amendment is passed and it is ratified by the States, you lose your job. That is not the best way to implement term limits. I would rather have that than nothing.

I challenge my Democratic colleagues to deliver enough votes to make on version get out of the House. This is probably the most important thing that we will do in the 104th Congress. It is probably the most important vote we will take in my political life, because if you want to change politics, you need to change the reasons people seek the office. That is exactly what term limits does.

I implore my colleagues on the Republican side to deliver the votes to get an amendment out. If the Democrats play a game of chicken, loading up the votes for a retroactive term limits bill, let us meet them. Let us have term limits in some form rather than no form.

I am going to vote for term limits in any fashion, because I believe it fundamentally will change the way we govern in Washington, DC. That is why I think I got elected is to come up here and fundamentally change our government. I believe that is why 80 percent of the American public from Maine to California, from the Deep South to the Far West, support term limits, because they feel their Government does not

serve them. It serves the institution, and if you really are serious about reforming government, it needs to start in this body.

This is the only vote we will take with the Contract With America that applies to us as individuals. It is going to be a gut-check for people in this body.

#### SUPPORT THE HILLEARY TERM-LIMITS PROPOSAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. HILLEARY] is recognized for 5 minutes.

Mr. HILLEARY. Mr. Speaker, I guess it has been about a month ago now that some fellow freshmen and I got involved in this term-limits debate to the extent we are now. People here may remember that the House Committee on the Judiciary reported out a bill that in my opinion, did not really resemble real term limits. It said you could serve 12 years, lay out a couple years, serve 12 more years, lay out a couple more years, serve 12 more, et cetera.

It also specifically had language that preempted the work that people had done in 22 States that had their own term-limits laws. I felt I could not keep my pledge to my constituents that I made during the campaign that I would truly be for real term limits.

So I got involved with some of my fellow freshmen. We came up with a bill, drafted a bill, that simply did this: It said you could serve 12 years in the House, 12 years in the Senate, but also it had the additional language that said the States would be specifically protected in the work they did and the wishes of those people in those 22 States would be protected. I think that is very important.

And people like the gentlewoman from North Carolina [Mrs. MYRICK], the gentleman from Indiana [Mr. MCINTOSH], the gentleman from Washington [Mr. NETHERCUTT], the gentleman from Arizona [Mr. SALMON], the gentleman from Kansas [Mr. BROWNBACK], the gentleman from Florida [Mr. GOSS], the gentleman from South Carolina [Mr. GRAHAM], who just spoke, the gentleman from Arkansas [Mr. HUTCHINSON], the gentleman from Georgia [Mr. KINGSTON], the gentleman from Washington [Mr. TATE], and many, many others have worked very hard and feel the same way on this.

It is very important to people like Bill Anderson, who lives in Texas County, MO. Mr. Anderson is not a Republican or a Democrat. I do not think he is a liberal or conservative. He is simply a man who has never been involved in politics before. He is simply a man who felt very strongly this country was going in absolutely the wrong direction. He felt he had to do something about it. He got out in parking lots in hot summer days, got thousands of signatures on petitions, got in Mis-

souri this issue put on a referendum for a vote, and it passed.

There are a lot of Bill Andersons all over this country whose hard work and wishes and rights of him and his fellow, people who helped him, will simply be washed away if we do not specifically protect those rights.

There is no other bill that we are going to vote on that will specifically give that protection. There are some that are silent. What that means is that nine black-robed men and women who work in a building very close to us here who are unelected, permanently tenured will decide this issue, not people who are elected representatives like our colleagues and myself.

I think it is important that we vote on the Hilleary amendment. We have had so much support from the grassroots. Every grassroots organization that you can think of is behind our bill that has anything to do with term limits: United We Stand America, American National Taxpayers' Union, American Conservative Union, Citizens Against Government Waste and on and on.

The reason they think this one is the bill is because it gives the most for the most people. It is a sort of middle-of-the-road bill. It has 12 and 12 for people who believe that you ought to be able to serve 12 years, but also says States can do something less if they so choose. It also kind of protects what I think is the most democratic form of legislative process in this country, that is, the referendum process such as in the State of California. It is almost part of the mystique of California. It is part of the legend of California that they have this referendum process. It is very famous.

All the propositions that have become so famous all across the country, and this is the only bill for the Members of those States that have the referendum process. It is the only bill that will specifically protect the wishes of the voters in those States.

So I ask everybody to come on board and support the Hilleary amendment. But no matter which bill comes to final passage, I think term limits, the concept of term limits, must supersede everything else, and I beg my fellow Members on final passage to vote for term limits.

Let me tell you, people say that this concept of term limits has no chance in this Congress. I do not know if I am willing to concede that yet. You know, our former Speaker felt pretty strongly about being against term limits. He is no longer with us. I think this is the first time, because this is the first time we are going to be able to take these little cards, stick them in the slot, and a recorded vote, the first time the people are going to have to actually go on record and think long and hard about are they going to face the voters in 1996 without a yes vote on term limits.

I think we have not seen how many votes we are going to get on this. I

think it is building every day. I think my colleagues would with that.

Finally, I would just say there are a lot of people who have come before me on this term-limits concept. I have been here for the grand total of about 3 months, and people like the gentleman from Florida [Mr. MCCOLLUM], and the gentleman from South Carolina [Mr. INGLIS], the gentlewoman from Florida [Mrs. FOWLER], who is not even going to get to vote on her bill tomorrow, have moved this bill way far down the field way before I got here. They deserve an awful lot of credit.

To the extent we have success tomorrow, my hat is off to them.

The final thing I would like to say is this, that no matter if we get 290 or not, tomorrow should be scored as a victory for the Republican Party. We are going to bring this to the floor for the first time for a recorded vote. It has never happened. If you compare our Speaker with the Speaker last year and how our support has been, I think people must say we have taken a great first step and a great first downpayment on this issue of term limits. It will come back, and the people will speak in 1996.

#### SUPPORT CONGRESSIONAL TERM LIMITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. TATE] is recognized for 5 minutes.

Mr. TATE. Mr. Speaker, it is, indeed, an honor to be able to address the House tonight in regards to this issue, because just look back, in 1990 in the State of Colorado, it caught on like a prairie fire. The whole issue of term limits, it came out of a frustration of the 22 States that have passed term limits. Twenty-one of them came through a State initiative. Just one State legislature, the State of Utah, has approved that.

In my particular State in 1991, for example, we gathered signatures around the State, over 200,000 signatures, to put a term-limits initiative on the ballot, but it was retroactive that year. It was defeated.

Right after that, the citizens picked that up one more time, and were able to put it on the ballot in 1992, and it passed overwhelmingly at the State ballot, and last September, I, with my fellow freshmen and Republicans alike, we stood on the Capitol steps and signed the Contract With America, pledging for the first time in the history of the United States that we were going to have term limits come up for a vote on the House floor.

And why do we need term limits? One does not have to look any further than 40 long years of Democrat rule. We had a House that was less accountable. It seemed that the longer they served, the more removed they became. The House banking scandals, House post office scandals, runaway spending. We needed

true reform, and term limits ends careerism.

The House of Lords, for example, in Britain, you are appointed forever. That is not what the U.S. Congress was designed to be.

Even with the elections in 1992 and 1994, 9 out of 10 Members were re-elected, 90 percent.

In the 103d Congress, for example, the average length of time for a committee chairman who had served was 28 years. I am 29. So when I was 1 year old they were beginning their political career. Things need to change.

Term limits overwhelmingly is supported by the American people. Over 80 percent of the American people support term limits. It has passed by a 2-to-1 margin in every State it has been on the ballot. Other offices are term-limited around the country. The President, for example, two 4-year terms. Thirty-five States limit Governors' terms, even some States, like the State of Virginia, limits Governors to one term.

It also assists in diversity. Seventy-two percent of the women in the House of Representatives were elected to open seats. Eighty-one percent of the minorities were elected to open seats.

It is time we make Congress look more like America.

And what a difference a year and an election makes. Last year the Speaker of the House, of this House of Representatives, from my State of Washington, sued the citizens of Washington State. This year the Speaker of the House limited his own terms to 8 years. We limited the chairmen and the ranking minorities to nothing more than 6 years.

So tomorrow for the first time in the history, let me say that again, in the history of the United States, we are going to pass it or bring it up for a vote, term limits. We are going to have several proposals. We are going to have one proposal very similar to Washington State, which is 6 years in the House and 12 years in the Senate.

□ 2030

Then we have, as we just heard, the Van Hilleary amendment that puts a cap of a total of 12 years you can serve in either body but allows States to limit, does not preempt State laws. We have a proposal of 12 years and 12 years.

But then we also have a retroactive proposal, which was defeated in Washington State. I do not like the retroactive taxes that were passed in 1993, and I am not going to like a retroactive proposal because it is being pushed by people that do not even support term limits. It is a sham, and it is a bunch of baloney.

They are going to hear many arguments against term limits tomorrow, that it is somehow going to empower lobbyists. Having served in the State legislature, the people most nervous about term limits are the lobbyists because they build their reputations on

getting to know Members of Congress. So there is lots of changes that need to occur, and you are going to hear lots of arguments, but we will deliver our vote as we promised tomorrow for the first time in history.

And 80 percent of the Republicans are going to vote for it, maybe even more. What we need is at least 50 percent of the Democrats to make this happen. It takes 290 votes, as we all know, to pass a constitutional amendment. We only have 230 Republicans. If every single Republican votes for this, we still need 60 Democrats. So if it fails, which I believe it will not, but if it fails, the defeat will be on the hands of the Democrats, and the public will hold us all accountable, especially those that have voted no.

So I urge my colleagues tomorrow to support term limits and return the power back to the people.

#### CONTRACT WITH AMERICA

The SPEAKER pro tempore (Mr. ZIMMER). Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I wanted to talk a little bit about the Contract With America. I think it is very important that folks understand that the Contract With America was a campaign promise, and it is a promise which, unlike previous campaigns and previous promises, it is a promise that Republican Members of the House are keeping with them. We are looking at it daily. It is the instruction.

You may not agree with Contract With America, but I think what is important is that here is a fundamental contract, a handshake with the American people saying when we say we are going to do something, we are going to do it.

Now, the Senate is going to debate it. They are going to change some things. It is going to come back to the House, and we are going to have some changes. But I think it is very important to remember that the Contract was a campaign pledge and a promise that we are not going to forget, unlike other times in office when many, many members of both parties would make certain campaign warranties or promises and then forget them after they are elected.

This contract is different. One of the key planks of that is that we are going to get these issues on the floor of the House for a vote. It does not necessarily guarantee passage on everything, but getting them to the floor of the House, as the gentleman from Tennessee [Mr. HILLEARY] had said just a few minutes ago, is the key element, and that is what we are doing with term limits.

It is going to take 290 votes because it is a constitutional amendment. That is a lot of votes. And we are working with Democrats. We are working with

Republicans. We are working with senior Members, working with freshman Members, trying to get that passed.

Now, the Hilleary amendment, what is so good about it and why I think it is important that this House support it is because it does two things. It says that you will have a 12-year limit, but also if States have individual term limits, 8 years, 6 years, 10 years or whatever, they can keep their own State law in place to self-impose term limits that are different as long as they do not go over the 12 limit. Now, I am going to support that.

I am also going to support the McCollum bill. Mr. MCCOLLUM of Florida has a bill that sets a 12-year term limit, and it is a uniform bill. The thing that I believe is important about that is that Congressman MCCOLLUM has introduced term limits, I believe, every year since he personally has been a member of this body and has been out there as a lone wolf crying in the wind for term limits far before it was popular.

I think that it is great that finally, after all these years of him coming up, and there were others along with him who supported term limits, finally he is going to get a vote on it. And I plan to support both these bills and both these versions, and I hope we do get 290 votes on one of them so that we can move the legislation for him.

Now another key element of the Contract With America that is going to be coming up is the tax stimulus. This tax stimulus, unlike the Clinton stimulus 2 years ago which was a tax increase, this is a tax decrease. You know, this gets a lot of people nervous because the American Federal system of government has been robbing taxpayers for so many years now.

You know, in the 1950's the average American family paid 2 percent Federal income tax. Today that same American family pays 24 percent Federal income tax. Now that, along with all your intangible tax, your sales tax, your local option sales tax, insurance premium tax, utility tax, State income tax, in some cases municipal income taxes, these have been going up.

The average American family right now is paying 40 to 50 percent of their income in taxes. I believe it is time to return that money back to their pockets, and I would rather trust my constituents to spend their own money than some of the bureaucrats that I have seen up here. Because the bureaucrats, when they get their money, they overspend. They sit around and come up with new regulations, new ways to take freedom away from Americans.

But I promise you, as we know it with a study of economics, that lowering taxes will stimulate the economy because people will have more disposable income. They will buy more shoes, more clothes, more hamburgers, more cars, ultimately more houses. When they do that, jobs are created because businesses have to expand to create the new demand. When that happens, more

people are working; and revenues go up.

This was proven in 1980 with the Reagan tax cuts, 1982 actually, but 1980 the revenues to the Federal Government were \$500 million and in 1990 they were over a trillion dollars. Unfortunately, the spending outpaced revenues so we still had runaway deficits during that time period.

I would certainly say that that is a bipartisan problem. You had the Democrats controlling the House, but part of the time the Republicans controlled the Senate and the White House, so it is a bipartisan problem.

But these tax cuts are designed to create jobs which will increase revenues. And when that happens, Mr. Speaker, with all the reductions that we are doing we will be able to pay down the debt, reduce the deficit and turn this country around, which I think is extremely important for us to do.

So I am proud to be here tonight, and I am proud to support both term limits and a tax decrease that will stimulate the economy.

#### TERM LIMITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. METCALF] is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, I rise to speak in favor of term limits. You know, term limits is in fact part of our heritage from colonial legislatures. There were some colonial legislatures that had a rotation in office concept. Besides that, in the Continental Congress during the Revolutionary War there was a 3-year term limit. No one could serve for more than 3 years.

In fact, rotation in office was the unwritten rule in the House of Representatives for many years after the founding of this country and after the Constitution went into effect. It was almost a hundred years, after the war between the States, when the average term became 4 years. It was the 1920's when the average term became eight years. This tells you something.

Today, over 90 percent, over 90 percent of incumbents win reelection if they run for reelection, and term limits is the most important political reform that we can make at this time.

The concept of term limits, of course, is that a Member goes and serves in a legislative body and then returns home to live under the laws that they have made.

Washington State had a term limit initiative. It was a 6-year term limit initiative, and it passed overwhelmingly there. And I pledged, and I said when I ran for Congress, I said I will pledge to serve no more than 6 years. The people passed it. I will obey it, regardless if it is held constitutional or not. If the people pass it, that is what I would consider my duty.

Over 80 percent of the Republicans are going to vote for term limits tomorrow, and what we are asking, and

asking very sincerely, just 40 percent of the Democrats, if 40 percent of the Democrats will join the more than 80 percent of the Republicans, we will have the first real chance for term limits in this Nation, and I think we should.

I will work really hard, and I will vote for the 6-year term limit. But if that isn't what passes, I think we should be prepared to vote for whatever passes and has the best chance to attain term limits for this Nation. I think we have a mandate, and the mandate of the last election was, very clearly, pass term limits for Congress as Congress passed term limits for the Presidency.

#### TERM LIMITS VOTE IS HISTORIC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MCCOLLUM] is recognized for 5 minutes.

Mr. MCCOLLUM. Mr. Speaker, I rise to support term limits and to talk about what is going to happen out here tomorrow in a very historic vote.

I have been involved with the term limits movement for many years now. It was quite lonely when I first came to Congress and introduced the first constitutional amendment for a 12-year term limit of House and Senate Members. We did not have very many supporting it then. In fact, as recently as the 102d Congress, just 3 or 4 years ago, we only had 33 Members of the House willing to say they were for term limits in an open and public fashion.

In the last Congress, even though the now sophomore class had made its mark in the campaigns, many of them by advocating term limits, we only had 107 out of the 435 House Members willing to say they supported term limits.

Tomorrow we are going to have a vote, and we have a shot at getting to the 290, the two-thirds necessary to pass a term limits constitutional amendment. I do not know whether we will get there or not, but we are going to have well over 200 who are going to vote for some version of term limits and, hopefully, for the final passage. I think that is truly remarkable progress.

Whether it succeeds tomorrow or not, it is a big day, the first day in the history of the United States Congress to have such a debate and vote.

In 40 years of Democrat control of this Congress, they never let a vote occur. And only in the last term that they held power did they even allow a hearing on the subject. Now we are going to get that opportunity that the American public by nearly 80 percent in poll after poll say they support.

Interestingly enough, those Americans who are answering those poll questions are roughly divided in an even fashion, at about 50 percent Republicans and 50 percent Democrats. There is not a partisan matter involved in term limits. It is something the

American public has said they want for a long time. It is not a new thing.

I just hope that when the sun sets on this vote tomorrow that we do get the 50 percent or so of the Democrats we need to have on that side of the aisle to vote with the, as the gentleman from Washington says, the better than 80 percent of the Republicans who are going to vote for this. We may get 85 or 90 percent before it is over with.

The point is, we need to have a bipartisan effort in order to pass term limits. Now I have my own personal views on why we need them, and I have my own convictions on which version is preferable. I happen to believe deeply that term limits are important to stop the career orientation of Congress that has developed over the past 50 or 60 years as we have gone to a full-time, year-round job that was never envisioned by the Founding Fathers who saw Members serving only a couple of months a year and going home to their businesses.

We do not do that anymore. We are not likely to. As we have developed this full-time Congress, Members have learned to give up jobs back home. Most Members do not have outside incomes. They are dependent upon this. This is their career today.

That has changed the attitude of Members in a way that is not necessarily desirable. While some Members can stand above that, many Members, I think, consciously or subconsciously try to please virtually every interest group that comes to Washington seeking assistance in their voting pattern in order to get reelected. The idea being, if you do not displease anybody, those who have the squeaky wheel are going to vote for you, you are going to get reelected, and you are going to be able to come back and continue your, quote, career.

I do not think that is healthy. That is not healthy in areas like balanced budgets where we do not get there because every interest that is in a budget is supported by some interest group. It is not the money that is involved. It is the votes and the concerns about reelection.

We need to mitigate that. Term limits would do that, plus it would place a permanent restraint on the opportunity for anybody in the future to ever become a committee chairman and serve 15 or 20 consecutive years as was the case until the Republicans took power this time and put it in the rule to say you can only serve 6 years as a committee chairman, and it would assure fresh blood out here every time when we have an election cycle and a regular turnover.

Now as far as the preference is concerned. I happen to prefer my version, which is 12 years in the House, 12 years in the Senate. I think shorter limits in the House than in the Senate would weaken the body vis-a-vis the Senate.

I also think you need to have about six years here before you have the ex-

perience that is needed to be a committee chairman or to be in leadership.

I also think it would be preferable to have uniformity throughout the Nation instead of, as one of my other brethren offering an amendment would have, an amendment that leaves it to the States. Once we put a 12-year cap, you would wind up then with a hodgepodge of some States 6 years, some states 8, some States 12 for on ad infinitum. I do not think that would be good public policy in the end.

But the Supreme Court under my proposal will ultimately make the decision as regards to the present Constitution and its interpretation when they decide the Arkansas case shortly.

□ 2045

If they decide that the States have this power today, the amendment I am proposing would not disturb that. On the other hand, if they decide that it indeed is unconstitutional for the States to do what they have been doing, there would be established by my 12 and 12 amendment a uniform national standard which I think is preferable.

Then there are those who argue that well, retroactivity would be a good idea. I do not think it is a good idea. Twenty-two of the States that have adopted the term limits limitation around the country have said no to retroactivity, and the one State that had an opportunity to vote on it, Washington State, voted it down. It is like with tax laws or other kind of legislation out there, retroactivity is not a good idea.

There are Members of the other side of the aisle, some well intentioned on this issue, but some very much opposed to term limits, promoting this particular legislation just to create mischief, because they know it would cost votes on final passage.

We need to work very hard on whatever final version comes out here after we finish the amendment process tomorrow, and I am going to do this, to advocate my position ardently among the positions out there. But I am going to vote for whatever is left standing out here, and I urge any Member to do that. If you do not do it, I think the voters back home ought to hold you accountable on the vote you have on final passage of whatever is here tomorrow. It is our chance to get term limits that better than 80 percent of the American public strongly want. So I urge a favorable vote tomorrow on final passage, and, of course, I would prefer it if you vote for my 12-year version.

#### CONGRESSIONAL TERM LIMITS NEEDED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina [Mr. INGLIS] is recognized for 5 minutes.

Mr. INGLIS of South Carolina. Mr. Speaker, tonight I rise on the eve of a very historic day in this Chamber. To-

morrow, for the first time in the history of this country, we are going to vote on term limits. This is a very exciting moment as we prepare to undertake what I believe to be the most significant reform that this body has ever made for itself. This is an exciting day.

First of all, I want to indicate to all watching here tonight and all of my colleagues here in the House that this rule that makes in order tomorrow these four options is a tremendous opportunity for us to get real accountability on the issue of term limits. Tomorrow there isn't going to be any place for Members of Congress to hide. They are either voting for my 6-year bill, they are voting for a 12-year bill that Mr. McCOLLUM just spoke of, they are voting for a 12-year bill that Mr. HILLEARY spoke of earlier, or they are voting for a fraud that is masquerading as term limits that is really not term limits, it is designed as a poison pill to kill term limits by retroactivity provisions. Those are the options. Tomorrow Members in this Chamber will have to vote yes or no on term limits.

Tonight what I would like to do is begin laying the case that we will make after many hours of debate tomorrow on the need for term limits. I have a couple of charts that I think will demonstrate fairly well why we need term limits.

The first one I have here shows the average tenure of a Member of Congress and members of the general public in their jobs. As you can see here, the average American keeps his or her job 6 years. The average Member of Congress keeps his or her job 8 years. The average member, and this is a critical number, the average member of the leadership of this institution has kept his or her job for 22 years. That is ranking members and committee chairmen, add them all up, take the average, they have been here an average of 22 years.

I think this tells the story of what is wrong with this Congress. This is what the American people seek to change. They want a more fluid body. They do not want a leadership that has been here 22 years on average. They want it more in line with what the average American experiences, a job change on average every 6 years.

Of course, in the 1994 election we had a great deal of talk about change, and there was a tremendous change, because we got a change in the management team here in Congress. I should point out right here what a difference an election can make. The last Congress, the 103d Congress, we were fighting against a Speaker of the House of Representatives who sued the people of his State, arguing that what they had done in a State initiative was unconstitutional. Now we have a Speaker of the House who is helping us to get a good vote on this floor and is pushing Members of this Congress to vote for what the American people want, which is term limits. By 80 percent the American people want term limits. So when

you look at this election, it made a tremendous difference.

The 1994 elections brought people like Mr. FOX, my colleague here, who arranged this series of special orders here tonight, and I very much appreciate all of his work on terms limits. It has brought wonderful people like Mr. FOX here. It has brought people like Mr. HILLEARY, who has an amendment on the floor tomorrow. It has brought people like my two colleagues from South Carolina, Mr. SANFORD and Mr. GRAHAM, that are strong supporters of term limits.

But that election, for all that change and particularly that management change, really reflected a great deal of continuity in this body. Here is again why we need term limits. The 1994 election, of those who wanted to come back, 90 percent were reelected. In 1992, of those who wanted to come back, 88 percent were reelected. In 1990, of those who wanted to come back, 96 percent were reelected.

It is very important to look at those who wanted to come back, because the change we have gotten, particularly if you look at 1992 and 1994, has been as a result of open seat elections. In other words, people deciding to retire or leave for whatever reason, they left, they left an open seat. As a result, we had an open seat election.

The gentleman from Michigan [Mr. HOEKSTRA] is here with me tonight. When we were elected, both of us came in 1992, we both, maybe one of the best arguments against term limits, because both of us happened to defeat incumbents. That was very rare in 1992, 88 percent of those who wanted to come back, and again, 1994, 90 percent of those who wanted to come back came back.

This indicates we have got a permanent Congress. That permanent Congress needs to be changed by term limits. If we enact term limits, we will have a different kind of Congress, we will have a Congress that is more accountable to the American people, and a Congress that would not take much time to pass a constitutional amendment on term limits when they realize that 80 percent of the American people want it. The percentages are maybe reversed in here. It is hard to get people to vote for term limits inside here. But tomorrow I think we will do just that.

#### SUPPORT TERM LIMITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. HOEKSTRA] is recognized for 5 minutes.

Mr. HOEKSTRA. Mr. Speaker, tomorrow we will have an historic debate on the floor of the House. We are going to take another step in reforming the place where we do the people's business.

Mr. Speaker, if we reflect back on what we have accomplished so far during this year, on opening day we made the agreements, and we have now im-

plemented cuts of committee staff. We have reduced the number of committees. We have cut committee budgets. We passed a bill which would apply the laws that apply to the private sector now also make those apply to Congress. That bill has now gone through the Senate and has been signed by the President.

We went on to reform the House. Republicans decided as we took control that we would limit terms of committee chairmen and chairwomen. We also decided that any individual Member could only chair one committee or one subcommittee. What we have been able to do is disperse power so that people like my colleague, the gentleman from South Carolina, Mr. INGLIS, and myself, who have only been here two terms, that within the second term that we are here, would have the opportunity to chair subcommittees. So we are creating more opportunities for more influence among more Members of Congress.

We went on to reform our process, additional reform for the House. This House of Representatives can be proud that we passed the balanced budget amendment. We can also express our disappointment that the other body failed to pass the balanced budget amendment. We have passed the line-item veto, and it looks like we are going to make progress in being able to take that through a conference committee and a Republican Congress providing a Democratic President with a line-item veto.

Tomorrow we will have an historic debate. We will do something that many States have not had the opportunity to do, or that they have not had the courage to do, is we will have a debate, and we will have a vote on term limits.

To date, what has happened with term limits around the country is that 22 States have considered state-imposed term limits, and in all of those States, they considered it through a process which I believe soon we are going to have to consider here on the floor of the House, is that they have returned power back to the people through an initiative and referendum process. They have not turned power back. What they have actually done is they have invited the people to participate with them in the process. It is interesting to note that the only place where this kind of activity on term limits has taken place is where States have invited the people to participate with them in the legislative and law-making process of that State. No State legislature has passed term limits.

Where we now go is tomorrow we are going to have the discussion on this floor of the House. I hope at the end of the day tomorrow that we will be able to say that we have taken another step in the reform process and that we will have had 290 Members of this House who have been willing to step up and say that we endorse and recognize the importance of term limits. We recognize the input and the value and the di-

rection that the American people have provided to us that says we believe that we need a flow in and a flow out of Members of the House of Representatives.

Remember, only 18 percent of the American people believe that we are doing a good job. I think maybe the recent polls show we may be all the way up to 32 percent. One of the primary reasons for that is they believe and they recognize that the policies and the directions and the laws that come out of this House bear only slight resemblance to the problems that they see in their local communities. They believe that by having Members coming in and flowing out, we will have better laws and better process; we will have Members coming in, moving out of real jobs, coming to Congress, and then moving back after they recognize that they have served here for a period of time. I do not think it is really all that important whether it is 6 or 12 years. I personally prefer 12. I will also vote for the 6-year-term proposal because the voters in my State have instructed me to support and to work for the passage of 6 years, but most importantly, to work for and push the concept of term limits for the House of Representatives. Mr. Speaker, it will be an historic debate. I am looking forward to the debate, and I am looking forward to Wednesday night when we can celebrate the passage of term limits.

#### PROPER ALLOCATION OF TAX DOLLARS REQUIRES EXPERIENCED LEGISLATORS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes as the designee of the minority leader.

Mr. OWENS. Mr. Speaker, a large part of what we do here in the House of Representatives relates to budgets and appropriations. I would say 75 percent at least of what we do is related to the budget and appropriations process. It is the most important thing we do, and I think that there needs to be far more discussion of the budget and appropriations process. It is a highly complex process, it is a very important process and the details are very important also.

Mr. Speaker, one of the problems with term limits is that it trivializes the functions of the Congress. It makes it appear that this is an easy job and it is easy to understand what goes on here. The budget and appropriations process alone is a tremendously difficult job, and no one would recommend for a difficult job related to their health care that they go and seek the surgeon who has the least number of years, that nobody wants to have open heart surgery done by a surgeon with 15 or 12 years experience. On the contrary, most people seek the most-

experienced surgeon if they have an operation which is a life and death matter.

If you have a complicated legal case in the courts, you go seeking a lawyer who understands the complexities of the law and who has a lot of experience in the practice of law. No one automatically says it is more desirable to have a lawyer who has been practicing for 6 years only or 12 years only. That is a bit ridiculous.

The whole premise, the arguments that I have heard for term limits, are unscientific, they are illogical, they just do not hold water. It is based on an assumption that the work of the Congress is trivial, anybody can do it.

□ 2100

We should have a citizen Congress. Any citizen can make these decisions. Yes, we should have a Congress more reflective of the citizenry. We should have a greater cross section of the citizenry. But to throw out experience as being important is to say that you do not think the job that we do here is important. Eisenhower was how old when he led the forces in Europe? MacArthur was how old when he—not how old, but how many years had they been in the Army? How many years had they been generals. Would you want inexperienced generals to lead your armies? No, nobody would want that because that is too important. That is a life or death matter. You would not want a surgeon who is inexperienced; you would not want a lawyer who is inexperienced when a large amount of money is at stake or even in a civil suit, let alone a criminal case.

So why suddenly does it become a virtue to have less experience? To deal with the budget process here, to deal with the appropriations process requires a great deal of experience. It may be that there are some arguments, like those we have just heard, which are very important and there ought to be a more scientific and reasoned analysis of what this body is all about and what kind of structure we may need to deal with term limitations and being most efficient.

It may be that the prohibition on being Speaker for more than 8 years is a good idea. It may be that the prohibition on serving as the chairman of a committee for more than 8 years or 6 years, whatever it is, is a good idea because with the size of the body, the concentrations of power may be the problem and not so much that 435 people have been here too long.

One of the charts that was just presented said that the average Member of Congress stays 8 years; 8 years is what the average is. Then they went on to say the leadership is here for 22 years. There is a problem then with leadership that may concentrate too much power for too long. Let us correct that problem.

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

Mr. OWENS. I yield to the gentleman from Illinois.

Mr. DURBIN. Mr. Speaker, I would like to support the gentleman's statement here. In the previous Congress I was chairman of an appropriations subcommittee. I had served for 8 years on that appropriations subcommittee and became its chairman. The responsibility of that subcommittee was to spend \$67 billion in a year for the U.S. Department of Agriculture and the Food and Drug Administration and several other agencies, 130,000 Federal employees, \$67 billion budget.

There are people who will argue for term limits today who believe that Members should come in and in a matter of a few months or a few years be looking forward to leaving. I will tell you if that is the case, the decisions which will be made on those budgets will not be made by Members of Congress. Those decisions will be made by special interest groups who will still have influence on this body as well as the bureaucrats within the Federal agencies.

Mr. OWENS. There are no term limits on special interest groups, no term limits on bureaucrats, no term limits on the lobbyists.

Mr. DURBIN. Mr. Speaker, if the gentleman will continue to yield, I think what it does is take away the voice of the people, the voice of America in this process by minimizing the voice and role of individual Members, men and women who come to this body in an effort to make a contribution. We were able to do some substantial things in the couple years that I chaired it. And, frankly, I would not have been able to do it without some experience, because many times you make a suggestion for a change and some bureaucrat will say, You cannot do it that way; it has never been done that way; it is impossible to do it that way. After a few years you find out you can do it that way.

I would just say in closing to the gentleman, I am glad he had taken this special order. I hope that every Member of Congress who stands in this well on this floor arguing in favor of term limits will answer two questions before they say the first word. Those two questions are: How long have you been here and when do you plan on leaving? Because you are going to find so many Members who get up here, some Members have been arguing for 15 years that we should have a 12-year term limit in Congress. And you are going to find time and again that the Members who stand up here and argue for term limits have been here way beyond the period of time that they say is the right period of time to serve.

I go back to the people who wrote the Constitution. Two years up for reelection, let the people decide every 2 years whether this Congressman or anyone else should stay. There was wisdom in that decision, and I do not think we should overturn it lightly.

Mr. OWENS. I thank the gentleman.

Mr. Speaker, it is very important that you take note of the fact that I want to talk about appropriations. He

is on the Committee on Appropriations. I want to talk about the budget. That is my primary concern. But I want to take note of the fact that one of the problems with the budget/appropriation process here is that it is very complex and there is too little discussion of it.

Four hundred thirty-five Members are not engaged in the discussion of the budget and appropriations process, which is the most important thing we do, which has an impact on the lives of all Americans. The Federal budget is more than a trillion dollars.

I do not know what the situation is now, but Great Britain, with a far smaller budget, used to dedicate at least 2 or 3 days where nothing was discussed on the British Broadcast Corporation network except the budget for 2 days; 2 or 3 days, nothing but the budget was discussed.

We have a very large budget, a very complex budget. It touches the lives of everybody. And that process alone requires that we have Members who have a great deal of experience. And we should reorganize the House so that more of them are participating in these very complex decisions related to the budget and the appropriations process.

All of the items that we have discussed up to now during this 104th Congress in various ways relate to the budget and appropriations process. Certainly, some of the ones that have gotten the most attention, the balanced budget amendment was very much related to an attempt to place parameters on the budget process so that there would be a squeezing, a forcing of, a ratcheting down of expenditures for social programs. That was the immediate aim of the Contract With America, to create a condition where they would be able to force more and more reductions in programs that were designed to help the people in greatest need. They certainly did not want to make reductions in the area of defense, where we have obsolete weapons systems that are now being still funded and manufactured and new weapons systems that are being proposed which are not obsolete but unnecessary because there is no enemy that is capable of threatening us and we do not need an F-22 fighter, we do not need another *Seawolf* submarine.

So the balanced budget amendment, the line-item veto, the rescissions that were made already by the Committee on Appropriations, \$17 billion cut from this year's programs, of that \$17 billion, \$7 billion is cut from the Department of Housing and Urban Development, low-income housing programs; almost \$2 billion in education programs cut, and most of those cuts are in programs that help the poorest students across the country. It is all related to the budget and appropriations process.

Welfare reform is less a reform of welfare and more a search for dollars.

What it turned into was a search for dollars. The Republican-controlled leadership did not address welfare reform in terms of moving people off welfare and into work.

They instead were searching mightily for ways to save money. I think they saved, according to the calculations, about \$60 billion, among the dollars that they saved was about \$2 billion saved on school lunches. This is a conservative estimate that comes from the Congressional Budget Office. You have heard a lot of different figures thrown around, but the Congressional Budget Office estimates that the school lunch savings in the Republican welfare reform package amounts to about \$2 billion. The search for money is so intense that we reach into the mouths of kids and pull out food in order to save a few billion dollars to contribute to the overall process of accumulating enough funds to give a tax cut.

The tax cut for some of the wealthiest Americans is really the crown jewel. That is the crown jewel of the Contract With America. Everything else feeds into that. Some drastic things are being done, some extreme things are being done in order to guarantee that the crown jewel, the tax cut, is in place and that they are able to deliver on that.

Welfare reform degenerated into an opportunity to realize some savings on the backs of the most needy people in the country, people who are victims. We are very generous with victims, and we should be. We are not very generous, but we recognize victims and the Government comes to the aid of victims.

We have appropriated about \$8 billion for the California earthquake victims; \$6 billion was appropriated for the flood victims in the Midwest; \$6 billion was appropriated for the hurricane victims in Florida. These are all victims of natural disasters, and we recognized that and we came to the aid of the victims.

We have victims of man-made disasters, a mismanaged economy in our big cities. There was a time when there were jobs in the cities and large numbers of people migrated from other parts of the country to our big cities to get those jobs during World War II. And a period for 20 years after World War II, more or less, there were jobs. And now the economy has been managed in such a way, including the decisions made on the floor of this House and the other body, decisions are made which allow for it to be more profitable to manufacture products outside the country, to chase the cheapest labor markets across the world, although the companies are owned by U.S. citizens and although the products are sold, the market is here, we are the consumers. Nevertheless, our policies encourage the people who are able to finance, manufacture to go to other parts of the world to do that.

So we have created a lot of unemployed people. A lot of unemployment

destabilizes families. The easiest way to deal with many of our social problems, welfare certainly, which is primarily Aid to Dependent Children. Children who have no other way of surviving, get assistance from the Federal Government.

By the way, those checks average about \$350 a month; \$350 a month we are talking about. The most generous State, which is probably New York, gets up to about \$600 a month, and the cost of living, of course, in New York is far greater than in most other places. If the average is \$350, you know there are many places where you are talking about less than \$200 a month for a family of three, \$200 a month. That is cheaper than full employment.

We have welfare in America because it is cheaper than full employment. If you have full employment and have to provide jobs for people, you are talking about a minimum-wage job and probably has to have some health care benefits. It will cost you far more than keeping people alive on \$350 a month or less.

So welfare is cheaper than full employment and that is why it goes on and on in America. It is always going to be here unless we decide we want full employment policies. Unless we decide that in our vision of America of the future, the vision that is being projected now by the persons, the group in control of the Congress is not a vision that talks about creating jobs for all Americans. They want to take away not only the jobs and the opportunities but also the opportunities to get the education, to get the jobs.

Their latest budget cut proposal, they are proposing to cut aid to college students, college loans, which are subsidized loans. There are areas in our society where subsidies are very much in order. There are some subsidies that we ought to get rid of as fast as we can. I will talk later on about some of those subsidies, subsidies to rich farmers. Subsidies to rich farmers are one category of subsidy we need to get rid of as fast as possible. But we certainly should subsidize students.

There is a proposal now that we save \$12 billion, a proposal that \$12 billion would be saved over a 5-year period. Again, the process here is to search for money that can be put into the cash box for the tax cut. So we are going to take \$12 billion from the students, college students, by ending the subsidy on their loans during the time that they are in school.

Presently a college student gets a loan and they pay back the loan after they get out of school. And the interest on that loan starts accruing after they get out of college and begin to pay back the loan.

The Government picks up the interest for the time they are in school, our Government. It is a subsidy, and it is a subsidy that is very much in order. It allows a person to get a college education and go into the job market and get a job which will generate income

taxes that during the course of their lifetime will pay for that subsidy over and over again. It is a very meager subsidy relative to the return that you receive for that subsidy.

So now that is the latest. We have gone for school lunches. We have gone for the poorest people on welfare. We have collected as much money from those programs as we can. Now we are going to go after the college students and take money from them in this budget process that is so important.

□ 2115

So the tax cut, as the grand scenario, the climax of it is the tax cut proposals that will be on the floor of the House next week.

This evening, I would like to talk in more detail about this budget and appropriations process. I would like to unmask some of the mysteries of the process and talk about some of the details. And in subsequent special orders we would like to go into the budget in even more detail.

I am the chairman of the Congressional Black Caucus alternative budget committee. We are considering an alternative budget that we would like to offer on the floor as a substitute to the leadership budget, to the Republican budget.

In the Republican budget, they will present their vision of America for the next 5 years. As we go toward the year 2000, the budget will reflect what they think is most important. They have already indicated that there are some people and some groups that are not important, some people who yield and sacrifice in order to take care of others. "The America of the future has no room for everybody."

We would like to present a Congressional Black Caucus budget which shows there is room in America for everybody. There are enough resources for everybody. We do not need to take food out of the mouths of hungry children. We do not need to harass college students and lessen the opportunities for college students. We do not need to make heavy drastic reductions in Medicaid.

A lot of things that are being proposed and will be carried out certainly in this House are not necessary, and we want to prove that and show you that we can balance the budget, too.

If American people think that there is too much waste in Government, I would concur. There is too much waste in Government. The problem is the waste is not in the School Lunch Program. The problem is in the Aid to Families with Dependent Children Programs, what you call welfare, where there might be some abuses and some waste, and there is need for reform.

We support reform in welfare. Aid to Families with Dependent Children, the Democrats voted for a reform. I think the only time in this Congress and probably the only time in the last few Congresses that all Democrats have voted for anything together on the



floor was last week when they all voted for the Deal substitute, which was a drastic reform of the welfare program.

It was welfare reform that was real reform. It provided for jobs. It provided for educational opportunities. It also maintained the entitlement that everybody who is a victim and needs assistance will be able still to receive assistance under Federal entitlement.

And we stand behind them. We do not propose a block grant, which is a swindle. Any time you hear the word or concept block grant, you know there is a swindle about to take place, that that function, whatever it is, and the recipients and beneficiaries of that function are going to end up with much less in 4 or 5 years than they had when the block grant was initiated.

That is the history of block grants. They are not done unless there is an attempt to foist them off on the States and begin to back away from the commitment at the Federal level.

So in the School Lunch Program, where they keep insisting that there is more money than there was before, each year there is more money, well, there is not. The Congressional Budget Office has indicated that there is not more money because the money is a relative thing. If there are more children to feed, then the amount of money has to go up. It has to go up in anticipation of the new enrollment, additional children being enrolled, and it has to go up in anticipation of more children becoming eligible because of economic conditions which move some families that were not eligible and not in need before to the category of needy. So, again, the details are important.

Where is the waste in Government? As we talk about the programs that the Republican-controlled House wants to cut, it might be good to juxtapose the programs that they want to cut with the programs that they want to keep.

They are all in favor of keeping every weapons system that anybody could imagine, including Star Wars, the Brilliant Pebbles in the sky that is supposed to intercept intercontinental ballistic missiles that are going to be fired by what country I do not know since the generals from this country have gone to visit the generals in Russia, and they have gone down into the silos, and they have all agreed to point the rockets away from each other. And a number of things are happening which lessen the need for the so-called Star Wars to intercept intercontinental ballistic missiles, even if it could be done; and most scientists say it cannot be done.

Yet it took a vote on the floor, the one time we have been able to win a victory for reason, rational thinking, scientifically based thinking on the floor of the House was a defeat of the Star Wars vote, but that was being proposed by the leadership.

The leadership is still proposing billions of dollars more for defense at the same time as they say there is a need to cut money from School Lunch Pro-

grams. They say there is a need to cut money from loans for college students at the same time we are going to go forward with these new weapons systems.

Where is the real waste? The waste is primarily in defense. The waste is in agricultural subsidies that go to rich farmers. We are going to talk about that in this great detail in a few minutes.

In defense, you still have the F-22 fighter, which was originally projected to be a \$72 billion cost, and because of the questions raised they scaled it down. But even a scaled-down version of the F-22 fighter will cost you \$12 billion in the next 5 years.

Listen to the figures closely. \$12 billion will be used to build F-22 fighters that are the most sophisticated fighters ever known. The trouble is, the second most sophisticated fighter planes ever known are already owned by the United States of America so who will fight the F-22's?

Nevertheless, they are being built for \$12 billion over the next 5 years. \$12 billion is exactly the same figure that is being sought, the same amount being sought from the college students, college student loans. By making the students pay the interest on the loans during the time the students are in college, they will yield about \$12 billion. The same \$12 billion, if you want to save it, you can save it by jettisoning, discontinuing the manufacture of F-22 fighters.

Why can't we discontinue the manufacture of F-22 fighters? One of the reasons may be is that they are manufactured in the Speaker's district in Marietta, GA. One reason may be that in the other body, the very prominent person in the area of making decisions about defense also hails from that State.

Why do we have obvious waste continuing in the area of defense? Take a close look, and you might find it.

The *Seawolf* submarine, another one. The argument is given we need another *Seawolf* submarine because we want to keep the technology alive. Nobody expects it to be able to be used to fight. That is \$2.1 billion. Listen closely: \$2 billion, slightly more than \$2 billion to build a nuclear submarine. Happens to be the same figure that is being saved from the School Lunch Program. \$2 billion, a little more than \$2 billion is what the Republican-controlled House of Representatives will get from the School Lunch Program. We could get the money instead from a discontinuance, a canceling of the *Seawolf* submarine.

Or if you do not want to cancel the *Seawolf* submarine, then look at the CIA's budget, which is a secret budget, is estimated to be no less than \$28 billion. All intelligence operations, because the CIA is really atop of all intelligence agencies, that whole operation is \$28 billion at least.

If you save 10 percent, if you cut the CIA 10 percent per year for the next 55

years, you got them down to about half the size of present CIA, you would be saving each year \$2.8 billion. \$2.8 billion would certainly cover the cost of the School Lunch Program.

And you can contribute it toward some of the other programs, the WIC and a couple of other programs that did not get increases. We are not going to serve all of the eligible babies and mothers in the WIC Program.

So if you feel like one of my constituents feels, that somebody has to do something, she said, "We have to tighten our belts. That means the kids have to eat cheaper lunches, OK? We have to suffer because we do not want to bankrupt the country. Everybody has to contribute a little."

Well, I am not certain that everybody should be contributing a little. I am not certain that growing children should have to sacrifice any part of lunch in order to contribute to a situation which is not desperate. It is not a desperate situation. We have places where money can be saved.

There are places where money can be saved in the corporate welfare structure. We give a lot of money to corporations.

In the first place, over the last 20 or 30 years, the amount of the tax burden borne by corporations has dropped drastically. It used to be more than half, around half of the total tax burden. All the taxes collected in the U.S. corporations were contributing almost half by the corporate income tax. Now the corporations are down to about 25 percent.

And the amount, proportion, percentage being contributed by individuals, April 15 is not far away. On April 15, individuals pay far more income taxes than corporations.

I would like to see us move toward a situation where we eliminate the individual income tax, the personal income tax as we know it. I would like to see us move toward a situation where we increase, get back to corporate, a greater share of the taxes being borne by corporations.

I would like to see a situation where we have taxes from other sources and less from personal income tax, certainly people earning \$75,000, \$50,000 or less maybe should not be paying any personal income taxes at all. We should be looking to other sources.

In the Congressional Black Caucus budget proposal we are going to call for the creation of a tax commission. That is not the first time that has been called for, but I think a more creative commission is needed to take a hard look at all the ways in which wealth is generated in our society now. We are generating wealth now in ways that never were imagined even 10 or 15 years ago.

The recent sale that was highlighted by President Clinton yesterday, the recent sale of frequencies above us, you know, above our heads there is wealth. Frequencies optioned have brought \$7 billion already into the Federal coffers,

and it is estimated that pretty soon that figure will be up to \$9 billion.

Well, 10 years ago we wouldn't dream of anything up above our heads owned by all the people being worth \$9 billion. They are just beginning the process.

Well, let us take a hard look at that wealth in the sky or wealth above our heads and how it may be used for the public good. Maybe we shouldn't be selling all of it. Maybe we should be leasing it or maybe there should be some arrangement whereby you do not have to be rich to buy it.

Maybe we should have a lottery system so every American would have a chance, rich or poor, anybody with some know-how and might get into the business, could draw lots. And the Federal Government would lease it to him instead of a person having to put up the capital as an alternative. And because that arrangement didn't involve capital the Federal Government would go in as a partnership. Forty percent of profits would go to the people, to the Government and to the people; and the other 60 percent would go to the person who makes it work and earns a profit.

There are many arrangements that we do not look at, royalties on products that are created as a result of Government action and Government research, et cetera. We ought to take a harder look at those.

I am not going to go into that much more detail now, but that is part of the process. We need, as I said before, people in Congress who understand these things factually. We need some people who have been here long enough to be able to imagine creatively how we may do things better, how we may collect revenue in less painful ways and more effective ways, targeting the revenue collection process to those who are able most to afford it and those who have benefited most from the riches of America in various ways.

So let me just mention a few corporate welfare setups that ought to be looked at in more detail in this budgetmaking process. Instead of cutting school lunches, instead of going after students and trying to squeeze \$12 billion out of the Student Loan Program, let us limit tax subsidies for exports.

□ 2130

Tax subsidies for exports, if they were limited, would yield revenue to the tune of \$21 billion. Tax subsidies for exports, what is that? There is a title passage, a thing called the title passage, sourcing rule and reform the title passage sourcing rule and eliminate the foreign sales corporation loophole. That would enable U.S. corporations, I mean, that does now enable U.S. corporations to shelter a portion of their export income from U.S. taxation. We have a loophole to the title passage and the foreign sales corporation that, you know, whoever talks about these things, the Committee on Ways and Means has a monopoly on this language and a monopoly on the process, and even the other, most of

the other 435 Members of Congress never even discuss the tax subsidies for exports.

The tax subsidies for exports, according to the Congressional Budget Office, the Congressional Budget Office, as you know, is an objective body, about as objective as you can get. Most of the people who work there are civil servants. The top leadership is appointed by the leadership of the House of Representatives, so you have leadership in the Congressional Budget Office that is appointed by the party now in control of the Congress, the Republicans, but basically, the civil servants who were there before, people who have civil service status, are still there, and their objectivity is about as good as you are going to get.

They said export subsidies increase investment and employment in export industries, but they do not increase the overall levels of domestic investment and domestic employment. In the long run, export subsidies only increase imports. You do not get any great benefit from it. So why subsidize corporations for exports?

Twenty-one billion dollars would be gained over a 5-year period if you eliminated that.

Impose a minimum tax on foreign-owned businesses. That is another corporate welfare scheme we could go after. If we merely established a minimum tax on foreign-owned corporations to discourage the manipulation of transfer prices which shield income from U.S. taxation, we would realize \$1.9 billion. The formula approach under the minimum tax provides a simple way to ensure that foreign-owned companies conducting business in the U.S. pay an acceptable amount of U.S. tax.

This is a quote from the Congressional Budget Office. Let us go after these corporate welfare items, eliminate the loopholes, and you will realize a lot of the taxes, the revenue that are being sought, savings being sought by going after the school lunch programs and college student loans.

There is a dairy and breeding cattle exclusion. If we end the special exclusion for the cost of raising dairy and breeding cattle, you would realize another \$700 million.

There is a tax deferral on income of controlled foreign corporations; \$5.7 billion would be realized over a 5-year period if we end the ability of U.S. firms to delay the tax on income earned by their foreign subsidiaries until the income is transferred to U.S. accounts, \$5.7 billion, and on and on and on it goes.

I am not going to exhaust the list of corporate welfare items today. But out there, the American people should take note this is not a simple process, not easy to decipher even when you are a Member of Congress. So I do not expect you to comprehend what has really gone on here.

The mysteries are here. You hear the drum beating against people on wel-

fare, demonizing of people on welfare, the comparison of people on welfare to alligators, comparison of people on welfare to wolves. Demonize and scapegoat, and all that is supposed to make you forget that corporations are receiving billions of dollars in subsidies from the American taxpayers.

One of the groups that likes to pride itself on not receiving Government aid is the farm community. I have often heard and seen people from the Midwest and the Far West and the South who insist that they do not want Government giving them any kind of help; Government ought to get off people's backs; Government should not intrude into people's lives.

There is a great deal of hypocrisy here. A large amount of your taxpayers' dollars are going to subsidize rich farmers. Welfare for rich farmers is a major scandal. It is a legalized form of corruption. We are just going to talk a little bit about one aspect of it.

It is so corrupt, legal corruption, you cannot arrest anybody. I am not saying that you should go out and try to effect a citizen's arrest, or you can bring a suit. It is all legal, because it is so complex until most of the Members of Congress, certainly those who come from urban areas and are concentrating on other kinds of things, have not really deciphered exactly what is going on with the farm subsidy program and how awful the giveaway is to rich farmers.

Let us take a hard look at it, and I invite you to follow me through a quick review of a report called City Slickers. City Slickers is a report produced by the environmental working group. The environmental working group is a nonprofit environmental research organization based in Washington. It is a project of the Tides Foundation and the California Public Benefit Corp., and they have started preparing a series of reports related to agricultural subsidies, welfare for the farmers. This is just the first report. If you want to get a copy of the report, I will tell you at the end where you can order a copy.

It is a very well documented report based on an analysis of data that would probably not have been possible 20 years ago, using computers and analyzing the records of the Department of Agriculture. They have been able to come up with this very informative study which should open your eyes. What they are saying is that in the farm subsidy program, the program that has been in existence now for several decades, actually the program that was started in the New Deal by Franklin Roosevelt, that program was to help poor farmers. The Government got involved in paying farmers to do certain things, and it worked. It was very much needed.

In fact, the intervention of our Government into the agricultural sphere

has been very successful in general. We are the most productive nation on the face of the Earth when it comes to food production. Our farm industry cannot be challenged by any other industrialized nation. What we produce on our farms, the kind of productivity is unparalleled, and part of the reason for that, a large part of the reason for that, is the early intervention of the U.S. Government in the process. Government sometimes can intervene and be a player in a very productive way.

The land grant colleges that were created, the experimental agricultural experimental stations, the county agents, all of that was federally, you know, generated. People talk about government should stay out of local affairs. Well, the Department of Agriculture program penetrated right down to the county level, and the county agent went out into the fields with the farmers. It was government involvement at its best. I am all in favor of government involvement when it is necessary.

We basically have a capitalistic economy. That does not mean there are not a lot of places where there should not be intervention and government assistance. Government assistance to farmers made a lot of sense when it started. Government assistance to poor farmers kept a lot of people from starving. Government assistance to poor farmers enabled poor farmers to build, to gain the know-how and to build a great agricultural industry of America, but it long ago wore out. It long ago became corrupted.

We do not have many poor farmers anymore. Less than 2 percent of the American population now lives on the farm. The billions of dollars that are being, of your taxpayers' dollars, that are going to subsidize the farms or the agricultural industry are going to rich people. They are going to corporations, agricultural corporations. Agribusinesses are absorbing your dollars. They are going to individuals, too many of them are rich also.

And many of them do not live on the farm, and the last few years they have not set foot on the farm. That is what this report is all about. This report is about city slickers, people who get billions of dollars from your taxpayers' money, your money, meant for farm subsidies to help keep the farm industry alive.

There are many good reasons why we started these programs, to guarantee that we would never lose the family farmer, that they would always be there to make farming competitive, to keep the land productive, to conserve the land, et cetera. There are many good reasons, and there are still good reasons.

But the process has been corrupted to the point where people who live in the cities have never visited a farm and are drawing now checks for farm subsidies. Let me just read from the report City Slickers; I think it is such a good re-

port, I will read verbatim from several parts of it.

What is wrong with the city dweller owning a bit of land in the country? Absolutely nothing, as far as we are concerned. Why, we would not mind owning a little farmland ourselves, nor do we have a problem with urbanites investing time, money, or both in a farm operation even if it is not their main livelihood, and even if the farm is thousands of miles away. But why on Earth should taxpayers be involved in the arrangement for these gentleman farmers? And as this report documents, we are involved big-time by virtue of Federal agricultural subsidy policies that are out of date and out of control. It is time for a change. Sending hundreds of thousands of Federal farm subsidy checks worth hundreds of millions of dollars to a handful of city dwellers each year can hardly be the best, the fairest, or the most efficient way to help farmers stay on the land, give rural communities a chance to survive and prosper or protect water, land, and wildlife that farming so profoundly affects. Left to the farm policy fraternity, the country's depression-era farm programs will continue to mispend taxpayers' dollars. Americans can do better, but only if more people become involved in the debate over the Nation's multibillion-dollar farm programs. After all, you do not have to be a farmer to get farm subsidies. You should not have to be a farmer to have a say in how your money will be spent after the new 1955 farm bill is signed into law.

It just so happens that the farm bill is up for reauthorization this year. So aside from the budget process and the appropriations process, there is a new authorization process for these farm programs.

I recall the last time we had the agricultural subsidy program on the floor of the House, I joined with a colleague, the gentleman from New York [Mr. SCHUMER], in offering an amendment which said that any gentleman farmer or gentlewoman farmer, persons who are not living on farms who have other incomes, any one of those who earns more than \$100,000 a year should not be eligible for the farm subsidy program, and that is a clear opportunity for the Members of Congress to take some action in a very meaningful way.

They would cut off anybody making \$100,000 or more who also was not a farmer full-time from the farm subsidy program. We got only 140-some votes out of 435. That is the nature of the deep entrenchment of the vested interests that support welfare for rich farmers.

Let me continue to read from the report though. City Slickers, that is the name of this report, the first in a series of Environmental Working Group studies on Federal farm subsidy programs that will be published over the coming months. They are going to publish other reports. It was made possible through the efforts of the environmental working group, analysts and computer programmers. They went to work in the Department of Agriculture files to pull out all of this data, and what I am reading from in the report is based on hard data. They have the charts in here. They have the graphs in here. They have the statistics in here. If you doubt their findings, get a copy

of the report and check it out. It is very sound, basic work. I commend the people who put this report together.

Let me read further from the findings of City Slickers:

American taxpayers are sending hundreds of millions of dollars in Federal farm subsidy checks every year to a handful of absentee owners, corporations, and other farmers who live smack in the middle of the country's biggest cities. Over the past decade, taxpayers wrote 1.6 million agricultural subsidy checks worth more than \$1.3 billion to city slickers, city slickers whose permanent mailing address is in the heart of one of 50 of the most populous urban areas in the United States.

□ 2145

They did a study and focused on the 50 largest cities, and they traced the checks coming from the Department of Agriculture to addresses in zip codes in the 50 largest cities in the country.

The environmental working group analysis of 110 million U.S. Department of Agriculture computer records, computer records of \$106 billion worth of farm subsidy payments made since 1985, found over 74,000 recipients whose current mailing addresses for Agriculture Department checks is in downtown New York City, Los Angeles, Chicago, Houston, Phoenix, Miami, St. Louis, Detroit, Dallas or other top U.S. cities.

If you are laboring under the assumption that welfare for the farmers, the subsidy program for the farmers, should not be questioned or not challenged because, after all, they are the people who grow our food and we want to keep them out there, we do not want a monopoly to be established by the agribusinesses. I have heard many reasons offered on the floor of this House.

A large portion of the people receiving the checks are not farmers, ladies and gentlemen. They are drawing down the checks and receiving the subsidy from you taxpayers, and they are not setting foot on any farm, I assure you.

When they analyzed major suburbs and satellite cities surrounding these big cities, they found that the payments increased greatly. A lot of people living in suburbs also around big cities are receiving payments. It went from \$1.3 billion to \$1.8 billion when you include some of the other people close to the city.

From Beverly Hills to Key West, the research shows that it is the rare, well-heeled suburb, urban enclave or resort spot in the United States that does not receive Federal farm subsidy payments. The pattern, the rule, is that they do. It is rare that they do not receive. The richer the community is, the more likely you are to see large numbers of farm subsidy payments flowing into that area.

In every major U.S. city farm subsidy checks pour in from farms located in dozens of States. Farms in 42 States pump government subsidies into New York City. Thirty-eight States send Federal farm dollars to Los Angeles, 37

States have farm program recipients in Chicago, and 41 States are sending agricultural assistance to farmers in Houston.

In many cities, New York City, Los Angeles, Chicago, and Tucson, for example, half or more of the subsidies come from farms located outside of the State.

If you want to make the argument of, somebody has already got a rationalization put together, well, sure, people may live in the cities, but New York State has a big farming sector. Agriculture is a big business in New York State.

So these people may live in New York City, but outside New York City in certain parts of the State there are farms.

But these checks are not coming from farms in New York State. The checks that are going to New York City are coming from 42 different States, 42 different States. You taxpayers are funneling money meant for farmers into city slickers from 42 different States to New York.

And in other cities it is much worse. I am going to read from a chart later on of the five highest ranking cities receiving these payments from you. In big cities, as in the countryside, a small number of individuals, partnerships, trusts and corporations collect the lion's share of Federal farm subsidies. These are rich people mostly who are collecting these checks.

Just 862 big city subsidy recipients collected \$388 million over the period checked, nearly 30 percent of the total payments to the postal areas in the top 50 cities. A general partnership in Dallas, TX, for instance, received 157 checks over six of the last 10 years. And this general partnership's 157 checks, listen to this, totaled \$1.8 million. The \$1.8 million came from farms in two counties in Mississippi. Mississippi, one of the poorest States in the country.

The money is flowing from your taxpayers' pocket, supposedly to help the farmers in Mississippi, but it flows into a firm in Dallas, TX, which one firm alone collected \$1.8 million over the last 6 years.

The top recipients in Los Angeles is a general partnership in zip code 90024, and they received 22 checks over 7 of the last 10 years, and those 22 checks were worth more than \$837,000.

The top farmer in Washington, DC, received a total of 271 farm subsidy checks from a North Dakota county in 8 out of the past 10 years. And his checks, the name of that person appeared in a newspaper article, totaled \$286,000.

San Diego's top producer is a corporation which stockholders have brought in 246 checks worth \$968,303 from a farm in Montana, a farm in Montana that has drawn down your taxpayer subsidies every year since 1985.

More than 63 percent of the total farm subsidies paid to big-city recipients went to individuals who on aver-

age received at least \$13,000 a year over the 10-year period. General partnerships brought in \$150 million, averaging \$72,000. Corporations with stockholders collected 11 percent of total big-city subsidies, which equals about \$138 million. Corporations in big cities collected about \$138 million over the period, the 10-year period studied. Joint ventures collected \$74 million, averaging \$200,000 each over a 10-year period.

These are your taxpayer dollars flowing to poor farmers according to the original legislation. The idea was to keep the farmers solvent, help the farmers make a good living, but now it is a corrupt racketeering enterprise, a legal racketeering enterprise.

You know, there may be a contradiction in that when you say racketeering and legal, but the savings and loan scandal showed us how you can swindle people, how you can have a massive racketeering enterprise which is mostly legal.

Continuing to read from the report, and I am reading from a report called City Slickers. City Slickers is prepared by the Environmental Working Group. They are located at 1718 Connecticut Avenue Northwest, Suite 600, in Washington, DC 20009.

I have given you this information because if you do not believe my figures, if you do not trust me or if you want to see more documentation and if you want to read the report in more detail, if you want to get to know about this gigantic swindle, you might want to see the whole report. Environmental Working Group, 1718 Connecticut Avenue Northwest, Suite 600, Washington, DC 20009, (202) 667-6982. Fax number (202) 232-2592.

Now I understand there has been some controversy about giving out information about books or things for sale. This is for sale for \$10 I think. I have no connection whatsoever with this group. I have never been to their office. I am not a member. Nobody on my staff is a member. It is a nonprofit environmental research organization so far as I am concerned. I welcome you to contact them to get the whole report.

We need to know. Members of Congress need to know more. Even those who have been here 10, 12 years do not know enough, have not been here long enough to really learn, no matter how studious they may be or how hard they work at it.

It is a complicated world, ladies and gentleman, The American Government is the most complicated entity on the face of the Earth. The Members of Congress, 435, plus the Members of the Senate, 100, are 535 vice-presidents of the world's largest and most complex corporation, the world's most powerful corporation.

We hear people talk about term limits. They want to make this body weaker. They want to trivialize what we do here. They want to make it weaker for the purpose of continuing these kinds of scams, these kinds of racketeering enterprises.

The weaker the Congress is, the more it is ridiculed, the more it is trivialized, the less it is likely to have the people who will be able to take on correcting these massive racketeering enterprises which waste a great deal of taxpayers' money.

The weaker the Congress is, the more likely people are to fall for demonizing of welfare mothers, demonizing pregnant teenagers, calling of alligators and wolves and making it appear that they are about to bring the country down.

No, the waste that is about to bring the country down is here. This is one example. We are going to be showing you many others in the weeks to come.

Continuing to read from the report City Slickers:

Massive and widespread cash payments to absentee interests in cities are just one of many indications that America's Federal farm subsidy programs are out of date and badly out of control. This study underscores just one of the fundamental problems with America's depression-era farm programs. They mostly now reward the ownership of land, not the farming of the land but the ownership of the land. They reward most those who own the most, not those most in need.

Let me repeat that. From the report City Slickers:

This study underscores just one of the fundamental problems with America's depression-era farm programs. They mostly reward the ownership of land, not the farming of it, and reward most those who own the most, not those most in need.

Welfare for the farmers is not means tested. People on welfare, aid to dependent children, that is what we call welfare. You have to prove you are poor before you can get a dollar.

Farmers do not have to prove they are poor. In fact, it is well known that many of them are rich, big agribusinesses. Everybody knows. The rich know. Nothing hidden there. No secret. They are the ones who are receiving the taxpayers' dollars. Free money to people who do not need it.

Continuing to read from the report, I quote:

Absentee landowners, distant corporations and far-flung investors are able to draw substantial government agricultural subsidies, though they may reside in a big city hundreds or even thousands of miles from the farm and never set foot on that farm for years on end. As a practical matter, almost anyone, almost anyone can qualify for Federal agriculture subsidies. You do not have to farm the land, you do not have to live anywhere near the land, you do not even have to visit from time to time. You do not have to be related to the farmer or to anyone else who has an interest in the farm. And wealthy, absentee farm owners who are most likely to run afoul of payment limits or other rules have ready access to legal advice that can help them maximize their government payments, advice provided by the government itself.

The fact that Federal farm programs transfer massive Government subsidy payments to recipients in big cities, as we document in this report, is just one

more compelling reason why the 1995 farm bill must not result in business as usual.

I conclude by stating this is a report called *City Slickers*, and we need to read more of it together. Get a copy yourself.

And as we progress on our discussion of the budget and appropriations process here in this Congress, we are going to talk more about where is the real waste, where is that money that is needed to give a tax cut or do anything else? It is not in the school lunch program. It is not in the college loan program. There are billions of dollars that are routinely being wasted, and we should take note of that as taxpayers.

#### TERM LIMITS

The SPEAKER pro tempore (Mr. ZIMMER). Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, tomorrow we will vote on what former Senator Howard Baker has called a bad idea whose time has apparently come. That idea, of course is term limits.

Term limits will pass this body with a very large margin, although maybe not the two-thirds vote necessary. However, I know from private conversations and believe that there are quite a few members of this body who publicly are for this very bad idea but who privately are hoping that the legislation does not receive the two-thirds vote necessary.

□ 2200

I can tell you this, Mr. Speaker, that if ever there was an idea or something that corrects a problem that does not exist, that idea is term limits. Two hundred and three new members have been elected in just the last 2 years. Let me repeat that: 203 Members, almost half of this body, have been elected in just the last 2 years. We had 110 freshmen elected 2 years ago. There were six Members, three of whom left to move into the President's cabinet and three others left for better jobs, and then 87 new Members were elected at the start of this Congress. So that is 203 new Members in just the last 2 years.

This is the greatest turnover in the history of this Congress and in the history of this Nation, and that same turnover, very high rates of turnover, are occurring in elective offices all across this country.

I mentioned Senator Howard Baker a moment ago, a man who is really one of my heroes and for whom I have the greatest respect. If we had had term limits in effect, we would not have had Senator Baker's greatest service to this country. We would not have had his service during the years he was minority leader and then majority leader of the U.S. Senate. We would not have had the service of Senator Everett Dirksen during his greatest service, or our own Speaker of the House, NEWT

GINGRICH, who is in his 17th year. He would not be in the House if we had the term limits we would be talking about tomorrow. Roll Call, the newspaper that covers Capitol Hill, pointed out Great Britain would not had the service of Winston Churchill during World War II. His greatest moments of public service would not have taken place if term limits had been in effect in Great Britain.

Term limits do not make sense. It makes no sense whatsoever to go to a great teacher and say that we know you are a great teacher and you are doing a wonderful job, but you have been here 6 or 8 or 12 years and we feel we should have new blood, or to do that same thing to a great nurse or a great engineer. If term limits should not be applied to other fields, they should not be applied to elected officials either.

We already have term limits, the terms to which we are elected. We are elected to 2 year terms in this body, 6 years in the Senate. The voters can get rid of us very easily. Every other year we face the voters. Term limits are very undemocratic. They take away a little bit more control the people have over their own Government. They take away the right of the people to vote for whomever they want. I think it is part of this trend that these very liberal elitists have said for years "Take the politics out of this, take the politics out of that," and that sounds good on the surface. But if you take the politics out of everything, you take away the control of the people over their own Government, and term limits is just another part of that very dangerous trend.

Term limits will strengthen the power of the unelected in this country. They will strengthen the bureaucracy, the lobbyists, the committee staffs. Already we have a Government of, by and for the bureaucrats, instead of one that is of, by and for the people. We need to reestablish the control of the people over their own Government, and term limits will do just the opposite.

We need to solve the real problems of this country. Mr. Speaker, turnover in the Congress and in other elected offices is not one of those major problems that we face in this country today. I am one of the most conservative Members of this body, but I can tell you that term limits are not a conservative idea. Our Founding Fathers specifically rejected them, and even conservatives like the Libertarian columnist Lewellyn Rockwell and others are now saying term limits are a very, very bad idea. In fact I think they are a very radical idea, and I think they should be rejected, although I know that they are very popular because many people do not realize how much turnover there is and how much change is going on in this place and in other offices around the country.

In no other field do we think that experience is a bad thing. People want an experienced surgeon when they go into have surgery, they want an experienced

lawyer and so forth. So we need experience in public office as well.

Some people had the mistaken impression that Dan Rostenkowski was a typical Member. He was not typical. I realize that term limits are popular and they are going to pass, but I think, as I said, that they correct a problem that does not exist, and I do not think they will solve the real problems that face this country.

#### WELFARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Louisiana [Mr. FIELDS] is recognized for 60 minutes as the designee of the minority leader.

Mr. FIELDS of Louisiana. Mr. Speaker, I rise tonight to talk about two issues. One, I wanted to talk a little bit about what took place in the House of Representatives on last week and the week before last. On last week, we passed legislation, in a real sense an insult and also is an assault on young children, on babies, on kids, on infants, and we passed that legislation in a spirit of welfare reform. But I just wanted to talk about some of the impact that this legislation will have on children and infants all across this country.

The cash assistance block grants that provides that no Federal funds for children of mothers under the age of 18 or less unless certain requirements are met, it is very easy and very popular to talk about how we should make parents more responsible, and I do not think there is a Member of this body who does not wish to make parents responsible or would not like to have responsible parents in our society. But the real impact will not be on parents. The real impact of these cuts will be on children. Nationwide, 70,000 children will be denied benefits. In my own State, about 600 children will be denied benefits because of this legislation that was passed. Now, I would hope that parents are responsible.

I would hope that no parent or no woman, young lady who is not married, would not even have a child. I mean, that is a perfect world, a perfect idea, but it is not happening today. And since there are women who have children out of wedlock, I think the Government has an interest and should have an interest in children and should, to the degree that we can, make sure that not a baby in America goes to bed hungry at night.

The other point of this legislation that we passed provides that no benefits will go to anybody after 5 years. Now, that sounds very good. That is a very popular statement to make, but the benefits are really not for the mother. If we want to call it irresponsible, then so do it. But the benefits are not designed for the mother, the so-called irresponsible mothers. Those benefits are for the children. They are

for the infants who cannot get up in the morning and go to work. And we cannot chastise innocent kids in our country because of some faults or some mistakes of their parents. I would hate that this country get to the point that we not take care of those who can do very little for themselves, like infants and children, and those kids with handicaps.

Well, 4.8 million children would be denied benefits as a result of this 5 years and you are off. In Louisiana, about 100,000 children. No Federal benefits for additional children born while a parent is on welfare. Well, parents ought to be responsible. But whose fault is it if a kid is brought into this world while his parent is on welfare? And who do we penalize in this piece of legislation? We penalize 2.2 million children across this country, and in Louisiana we penalize about 46,000 children.

Now, my idea of welfare reform is the thought of giving parents, giving mothers, the opportunity to learn a skill, so that they can be productive, so that they can do for themselves. But in this legislation, we do not require job training. We do not have funds available to the extent that is necessary for real job training, so that we can teach mothers skills and parents skills, and then put them to work and provide them with a job so that they can provide for themselves. But we do have a provision in the bill that says 2 years and you are off.

Well, 2 years and you are off is popular. It makes a good 30-second sound bite, but is it fair? You do not require the parent to learn any job skills or work, but if she is on welfare and does not have a job after 2 years, she is automatically off of the welfare rolls.

Well, who really suffers as a result of that? Are we teaching the parent a lesson or are we really teaching the children a lesson? I mean, children cannot be responsible. Many of them are infants. These infants, all they know how to do is cry when they are hungry and want to be changed when they are wet. Many of them cannot even speak, they are toddlers. You know, they are 1 month old, 2 months old, 6 months old. They need somebody to take care of their self. And if the mother, because of whatever reason, be it irresponsible or be it because she does not have the wherewithal to do so, somebody ought to step in and have an interest in that child. And I just think that our Federal Government should have a compelling interest in children.

So I just wanted to express that interest and that concern tonight, because I do think that this Congress has taken a step in the wrong direction when we penalize children simply because their parents are not responsible or because their parents do not have a job skill or because their parents are unemployed. I think we need to have more thought, a little bit more thought put into this welfare reform debate. I would hope when this legisla-

tion arrives in the Senate, that the Senate puts much, much more thought into it.

School nutrition program. I mean, we have talked about that so much I am tired of talking about school nutrition, because every time you talk about school nutrition, there are folks who stand up and argue with you as relates to whether or not it is a cut, whether or not school nutrition will be sacrificed as a result of the block granting, and it almost makes me sick in the stomach, because the numbers are very real. I mention the numbers, many students in this country will not have the benefit of a balanced meal because there is no national standard for nutrition in this legislation that was passed, and many of my colleagues will argue that students will not be jeopardized.

The reason why we took this program in the first place is because States were not doing a good job. When we get to the point that this Congress should not have an interest in the nutrition, school nutrition, that is the point we ought not have a Congress. That is just one of the interests we should have, we ought to have an interest in child nutrition, we ought to have an interest in making sure that every child who goes to school receives a balanced meal.

I would feel a little bit better about this rescission package as well as the welfare reform legislation, and I do not want to get into the summer jobs debate again, if we would cut money that goes to other places in this world. You know, we cut domestic programs on one hand, and then we increase money to go overseas. I do not understand the rationale and logic. How do we say to our children that we cannot give them a summer job, but we can give them somewhere in the neighborhood of about \$30 billion in jail cells and build more prisons, but we cannot give them a job this summer, and we expect our streets to be safer this summer?

Of course not. We cannot expect our streets to be safer in this summer by taking some 1.2 million kids off of the payrolls. We are taking their parents off the welfare rolls, then taking their children, you know, taking their mother off the welfare rolls and taking the child off of the payrolls. To me, I mean, how inconsistent can we get? I mean, we are consistently inconsistent in this Congress when we do those kinds of things. And to me I think we need to really, when this legislation gets back to this House in the way of a conference committee, I would hope that we just stop for a second and really put more thought into it, and not jeopardize and not penalize poor innocent children in this country. That is one of the reasons why I wanted to stand here tonight, Mr. Speaker.

Also, I want to talk about another subject, but I see my very good friend from Texas is on the floor, and it is always good to have her, because she is an eloquent person who cares about children in this country.

Mr. Speaker, I would like to yield very briefly to my very good friend from Texas, Ms. SHEILA JACKSON-LEE.

Ms. JACKSON-LEE. I appreciate the gentleman yielding, and I could not help, listening to your eloquence, to just come over and not only share in your concerns as you have expressed them considerably and articulately throughout this session.

But I was reminded of a story that you told just a couple of weeks or so ago relaying your own personal experience. It made it very real for many of us who likewise experienced what you experienced, and that is that you were, if you will, a participant in these programs, the school lunch program and the school breakfast program, and as a youngster, you, if you will, benefitted from the fact not of a handout, but simply of an opportunity to come and get a meal. And a meal is not a partisan issue. A meal simply is reflective of the concern of this country. I had in my office today a representative from the teachers association, National Education Association, out of the Houston area, and that teacher, with a great compassion, spoke about seeing elementary school children come to school to get a breakfast or get a lunch and how they took the last grain of food off the plate because it might have been the only meal that they would have had.

I had some other ladies come from the National Council of Jewish Women who indicated that they were themselves concerned about some of the very cuts that you have already mentioned, and indicated how ridiculous it is when we are talking about welfare reform, and in fact we are talking about suggesting that the parent, whether it be a mother or father, get out and work. And we know very often in this very busy society how many of us have time to sit down with our families to eat. So some cavalier comment was made, let them eat with their families, meaning their children that get the school breakfasts and lunches. This very insightful lady said, "I live in different conditions. I didn't eat with my children." She noted the fact we live in different times. But how insensitive to suggest that you now want the welfare mothers or welfare parents to find work and to be independent, but yet you are not going to give them the kind of supportive services like a school lunch program, a school breakfast program, like a job training program or transitional child care. You are simply going to, if you will, throw them to the wolves.

□ 2215

It simply does not make sense. And none of us, as we have come from State government, I know that you have a very fine record in the State of Louisiana, you had to make hard decisions about where we cut and how we reduce government, none of us ignored those concerns. But what we are asking for is

a simple understanding of the compassion upon which we thought this Nation was founded.

It was founded on opportunity and founded because people were hungry for jobs and for work. And it was founded on freedom of religion. But most of all, people coming here, certainly many of our ancestors and most of our ancestors did not have that luxury, but the whole thrust of the Nation was to come here for opportunity. And yet we throw it back into the faces of the American people who we are telling to get up, stand on your own two feet, be independent, unshackle yourself from welfare.

Yet we take, if you will, the slash and burn attack and we cut off programs like you have been speaking of. I could not help but come here to simply share with you.

Let me just mention these points and I would certainly want to dialog with you about this and ask you how it is impacting your area, because I have gone home to my community and heard nothing but screeching, shrill screams of outrage, not of violent outrage that they would act violently, but pained outrage, shock and wondering what are we telling our children. What examples are we setting? Again, as we begin to look at the tax cuts we have already gone through rescissions, many people are in shock because they said, We thought those dollars were authorized.

Summer jobs cut out, you were mentioning that. Safe and drug free schools, cut out. This is in the State of Texas. I can quote the dollars, \$780 million, \$40 million. Youth job training, very effective programs to get our youth moving from school to work. The Goals 2000 program that in fact this teacher was mentioning to me, a very effective program that helps establish greater educational goals, the title 1 education program, \$9.2 million, and in the vocational education tech prep program. I wanted to share with you those because all of those are programs based upon our children.

I would like to ask you this question, this is what is puzzling me. Take, for example, a gentleman who is going into business. He is in the exotic bird business, and he wants to go into a store that offers to the public exotic birds. Not being able to get many investors, he goes out and gets a very, very large loan, but he is able to employ some 6 to 10 employees because, as he sees his way clear, this exotic bird business is taking off. And he is doing well.

Would you think that he would immediately then, as his meager profits are coming in, seek to, if you will, provide an opportunity to bring down that debt, meaning that large debt that he has gotten from a bank, say like the deficit, or would he be seeking to take that money and maybe spend it foolishly, something like a tax cut, or would he be looking to make sure that he puts his business on sound footing, because he had an exotic business now

and he could not find any investors and so his loan was extremely huge.

And so, rather than taking these profits, maybe I could take it to even a more visible or visual type example. Would he run off to some luxurious vacation with the dollars or, if he is a sound business person, who he seek in order to ensure the viability of his business, to go and reduce that deficit or to reduce that huge debt that he has outstanding on this business.

Mr. FIELDS of Louisiana. Any reasonable man or any reasonable woman of ordinary prudence would use that money to pay the debt. That is just something that reasonable people would do. Any irresponsible person would probably do just the opposite, use the money to do everything but to pay the debt. And I think that is one of the problems that we have here in this Congress.

We take money from the poorest Americans in the world, I mean the country, in our country, the poorest Americans in the United States of America, and we give it to those who have. We take from the have nots and we give to the haves.

I think that is not only unconscionable but unbelievable and unfair. For us to take infant formula, for example, from a baby because her mother so happens to be 17 years of age, we want to teach that mother a lesson because she should not have had this baby when she was 17, we are not going to give her baby any milk. We are going to teach her a lesson.

Ms. JACKSON-LEE. Then we are asking her to be independent.

Mr. FIELDS of Louisiana. That is right. We want her to pull herself up by the bootstraps. We are not going to teach you any job skills but we want to set an example.

What happens, if the gentlewoman would answer this question, what happens if that baby, while we big Americans, Members of Congress, I do not know, I do not think any of us have to worry about eating at night, we make a pretty decent salary, what happens if that baby dies of infant mortality? Does that make us big Members of Congress? We are talking about maybe 1.7 percent of the whole budget goes to welfare programs, and we are going to solve the deficit problem by taking money out of this person's, this baby's mouth. And we are going to teach the parent to be responsible and, at the same time, we are going to give to big business over there or the individual who makes \$200,000 a tax break.

Ms. JACKSON-LEE. If the gentleman would yield, you raise a very striking question. Just a couple of days ago I was here on the House floor and had in fact a chart that answered your very question dealing with women and infant and children nutrition. That is the program, the WIC Program, that has been so effective in not only helping with care of that new infant but it also helps monitor the young infant's progress and also it brings in mothers

in the prenatal stages to ensure that they know about good health care, good nutrition for their babies.

But it said that if we did not invest in the Women and Infant and Children's Nutrition Program, we would have a bill of some \$15,000 per infant with the kind of illnesses, for example, that that baby would have when it was born and, ultimately, the kinds of problems that it might face in early childhood education and as it grew up to be an adult.

Clearly, the data suggests that when you invest in that young child, whether it is a school lunch, whether it is a school breakfast, whether it is the Women and Infants and Children Nutrition Program, that you are truly making an investment.

Let me say this, because there is something about us here on the House floor believing that this is such an important issue, wanting to communicate with the American people, the great citizens in the great State of Louisiana and the great citizens of my great State, Texas, for us to be branded as speaking the words of only a few Americans, but let me say, knowing that you have got certainly a State that is well endowed with energy leadership, energy corporations, I face the business community.

I have not heard a hue and cry for the need for the kinds of tax cuts that are not really bringing in all of us to discuss what best way to energize, if you will, if you can use that term, the economy. I have not seen individuals with incomes at a certain level standing in the highways and byways screaming for a tax cut. I have heard them speak eloquently and forcefully, as good business men and women, about bringing down the deficit to create the kind of economy that would be the most, if you will, energized and forceful in stabilizing this Nation.

Let me share with you on this point, because I think we have had some discussions on this, there is something about having a job, being able to go to work. We know that we are facing some hard decisions. I just simply want to acknowledge that we have got a headline that says, "NASA cuts 55,000 jobs." We know we are going to have to make some hard decisions. But I would imagine that in the course of these cutting of jobs, potentially in this reinventing government that we all have to do, you might be able to go up to any citizen and say, what do you think is most important in this nation? Allowing people to work, stabilizing the economy to allow them to work, making sure that if you have welfare mothers who are seeking independence, that they have jobs? Or is it to have this big balloon tax cut that seems to go nowhere and you are talking about thousands of people in the streets with no jobs?

I raise that question to you because it is puzzling to me how we can make decisions with no data, no hearings of crowds pouring in saying, tax cut, tax



cut. And yet we are having to put people out of work.

Mr. FIELDS of Louisiana. The gentlewoman makes a very good point. I think one of the problems we have in this country is we are blaming the wrong people. When we had the S&I crisis, for example, that hit the TV screen for a few days, a few weeks. And we developed the RTC, and we are now getting to the point we are resolving that whole issue, multimillion dollars.

And when a person who has food stamps, for example, walks into a store. I had the occasion of walking into a grocery store in my own district, purchasing food and standing in line. And then a lady in front of me with maybe one or two kids, who is about to purchase her food with food stamps, she turns around and sees me. And then, all of sudden, she forgot something. And she said, Go ahead, Mr. Fields, I forgot something.

And in a real sense, she did not forget anything. But she was embarrassed because the whole nation is blaming her for the problems, blaming her for the deficit. Blaming her for everything that is wrong with America. And she did not want her congressman to see her purchase her food with food stamps. And it is a shame and a disgrace that we have poor people in America who are being blamed for every ill that we have in this country.

For example, it is amazing that we would take \$30,000 and we would put it in jails and persons, and it takes \$60,000 to build a jail cell in this country. And it takes about anywhere from \$28,000 to about \$30,000 a year to maintain a prisoner in that jail. And we are spending all of that money to put kids in jail who violate the law.

And we find out, we look at all the statistics and all the statistics reveal that 86 percent of the people who are incarcerated, who are behind jail cells, are high school dropouts.

Now, it takes very little discussion and very little debate to pass that kind of appropriation. But if we tried to put more money in schools, we just cut \$100 million out of infrastructure. Prisons and jails in this country are in better condition than our schools. But it would take a literally an act of Congress, not really knowing what the cliché of an act of Congress really means, to pass any appropriation to put more money in education.

It is a clear correlation between education and incarceration, but the problem is, the question is whether or not we really want to address these real meaningful problems.

I feel, and I may be wrong, but I feel the way we address these problems is not by pointing our finger at poor people but by lifting them up, by making sure that every parent receives job training and then provide a job so she can go to work.

I am not against workfare. I am for workfare and making sure that deadbeat dads be responsible dads and make them pay child support for the kids

that they bring into this world. I am for that. And I am also for a kid having a summer job.

That hurts me the most because I know what it feels like to be a part of a summer jobs program during the summertime. And I have been taking this mike now almost every night because these are programs, maybe I am one of the few Members of Congress who has been through most of the programs that were cut, but I know what it felt like to have a summer job during the summertime.

I mean it gave me self-esteem. It gave me pride. It gave me dignity. I was getting up and I was going to work. I went to work, Monday through Friday. And I made a salary. I got a check with my name on it. And I was able to buy my school clothes, and I was able to help my mother pay her rent. And that made me feel good. And that really taught me job skills; taught me responsibility.

And now even the thought that this summer kids will not have the opportunity that I had when I was growing up in Baton Rouge, they will not be able to go into a summer job this summer because this Congress had the gall to cut 1.2 million kids off of the program in the spirit of fiscal reform and personal responsibility, and then talk about how we need to get kids off the streets, my God, where would I be today if I did not have a summer job, many of my friends, when we were growing up?

□ 2230

Mr. FIELDS of Louisiana. I do not understand the rationale and I will yield to the gentlewoman and then I want to talk about something else, I certainly hope the gentlewoman would stay, a little bit about term limits because I have heard some very interesting discussions tonight about that issue.

Ms. JACKSON-LEE. Well, I thank the gentleman and I could not help but just be absorbed by your recounting of your life's history because I wonder whether or not because of the missing life experiences maybe of some who would argue differently than what we would argue whether this is why we are where we are today.

I certainly was a beneficiary of a summer job and took as much pride as you have articulated in working in the city's parks during the summer, having that check, but most importantly the responsibility, the uniform, the self-esteem. Let me say a great big thanks to all the parks workers throughout this Nation.

The important thing is that we are speaking in essence out of two sides of our mouth and that is that we ask on one side, stand up and be counted and be independent and then we tell our children and I have been on the local box station if you will, meaning I have gone to where the youngsters listen and talk to them in between their

music to tell them that this is something they need to take up.

The outcry that I have gotten from a parent who is a single parent who says Johnny has been off the streets now for 4 years straight because he has had a summer job, and you know what is even better than that, you know what is even better than that is Johnny's younger brother is aspiring to get the summer job like Johnny, not aspiring to hit the streets to join the gang that is right next door but aspiring like Johnny.

As I conclude, let me simply say what the misnomer is. We go back to welfare. I think we all have seen this documentary about hoops and basketball, a true story about youngsters off the street and aspiring to be basketball players and there were some good endings for those youngsters in there. The one point that really got me is when the mother said, "Do you know we live off of \$300 a month?" Because there is some myth about how much people are living off of.

Then just to reflect on the State of Texas where an AFDC recipient with one child gets \$184 a month, so let us not fool ourselves to think that these folks are rolling in dollars. All of these people would far benefit from cutting the deficit.

Then when we talk about some sense of independence, we have got the other side of the coin. Say you pulled yourself up by the bootstraps, you got out of high school, how would you get to college? Summer jobs as well as student loans. Do you know what is going to be cut with these tax cuts? We are talking about cutting an enormous amount, half of all of the students attending college would be cut in terms of their student loans or their opportunities to go to college.

I do not know about you because I understand that we have come from different States, but I can assure you how much that will hurt the community that I come from and how important it is to our students who are seeking independence, some of whom have come from homes where they were dependent upon welfare and are now seeking an opportunity through education and look what is happening to them.

So I thank the gentleman for yielding but I had to come and join you and certainly you are raising another issue that I hope I will briefly be able to share with you on that because I think that impacts, if you will, how we run government.

I also have not heard the reasoned hue and cry on the other issue you just mentioned about what we do about people who are in office when I believe truly in the process of voting people in and voting people out. But I will say it is important for people to have a history of what has been done previously by government, people who can bring insight to these issues and reflect upon their life experiences to share.

I hope that we will have the opportunity as this goes to the U.S. Senate, the rescissions bill that we have talked about and now as we move into the tax cuts, that we will have an opportunity through conference, as I am working very hard to ensure that some of these very devastating dollars that have been removed that are not doing anything for the deficit will come back to help people who are seeking to be independent.

Mr. FIELDS of Louisiana. I thank the gentlewoman and we hope we are both hopeful that in the Senate there is a much more deliberative debate on these issues. Even if they are not cleared up in the Senate, we would hope that in conference that these issues are cleared up to the best interests of all the people across America. Even if they are not cleared up in that arena, we would hope that the President takes a very, very strong look at these rescissions as well as this Personal Responsibility Act and make sure that children and infants are not penalized as a result of some fault of some third party.

I would like to at this time talk a little bit about term limits. As the gentlewoman from Texas knows, tomorrow we will be debating the issue of term limits on this floor. We will decide whether or not the terms of Members of Congress should be limited.

I have been tussling with the idea of term limits now for about 7 years because when I was a member of the State Senate in Louisiana, being Chairman of Senate Governmental Affairs, I had to deal with the issue of term limits and wanted to give the best possible opportunity for those who felt that term limits was a good idea for America.

But no one, even idea, has been able to convince me that term limits is good for America. You know when I walked into this Congress on January of this year, I raised my right hand and said that I would support and defend the Constitution. And every Member of this body said the same thing, we would support and defend the Constitution of the United States of America, this Constitution. I look at this Constitution and article I, section 2 of this Constitution says in no uncertain terms, "The House of Representatives shall be composed of Members chosen every second year by the people of the several States."

It is very clear in no uncertain terms. That is article I, section 2. I do not understand how one can say they are for term limits and not realize that term limits are already in the law. I think it is an insult to the average voter's intelligence to tell a voter in America that they do not have a right to select a candidate of their choice and we ought to have some self-imposed term limit.

Well, I have decided to do something tonight that I would hope that all of my colleagues take heed to. For those individuals who believe and truly be-

lieve in term limits, we can have a self-imposed term limit and we can start term limitation tonight and all you have to do is sign this term limit pledge card.

I want to make sure that every Member of Congress receives this pledge card because I am sick and tired of Members walking into that well and saying to the American people, we need to limit the terms of Members of Congress and many times those Members who walk into the well are Members who have served for 16 or 20 years. I do not understand that. I think that is what hypocritical to say the least.

This pledge card is very simple. There is nothing complex about it. "I," and you put your name in it on the line, "pledge to the people of," whatever district you represent, whatever State you represent, "that I will not seek reelection to the United States House of Representatives after" X "number of terms," signed by the Member and dated.

And we put it in the CONGRESSIONAL RECORD, and then every Member should live up to that term limit commitment.

You know my term is limited and your term is limited. You cannot serve over 2 years in the House of Representatives without the approval of the people of Texas.

I as a Member from Louisiana. I cannot serve in this Congress after 2 years without the approval of the people, the Fourth Congressional District of Louisiana. When I raise my right hand, I take the oath of office for 2 years and 2 years only, and then I have to go back to my district and get reelected. So that, in itself, is a term limit.

Now what puzzles me is how people say, well, term limits or the lack thereof is the reason why we have so many problems in this Congress.

Well, the last three elections, over 200 new Members of Congress were elected. Two hundred new Members of the House now reside in this House of Representatives today. And they were elected in the last three elections, last three elections. The last three elections brought 200 new faces to this institution. You were one of them. I am one of them.

What happened in the Senate? The past 10 years 55 new Senators are now sitting in that august body down the hall, new Members of the United States Senate.

Now, if I am a Member of Congress and if I am doing my job and I do everything that I am supposed to do as a Member of Congress, then the people of Louisiana then make the decision as to whether or not I will return to Washington, DC, as their Congressman.

But for this Congress to tell people in Louisiana in the Fourth Congressional District that they do not have a right to send CLEO FIELDS to Congress or SHEILA JACKSON-LEE from Texas, irrespective of what kind of job performance she had for the past 2 years or 4

years, is wrong. And it is taking away the voice of people.

Ms. JACKSON-LEE. Would the gentleman yield?

Mr. FIELDS of Louisiana. I would be happy to yield.

Ms. JACKSON-LEE. You have raised several important points, and I think tomorrow we will have additional time to grapple with these issues. But I, too, have kept an open mind on this whole question of term limits, looking for the higher ground in terms of the real reasons behind what has been labeled as a movement to ensure that we have term limits. And each time I seek an answer, it comes back simply flat, and let me tell you why.

You have hit on a very salient point. We are now debating this whole issue of let the States do it, the local communities do it. What this debate simply says is that we do not appreciate and furthermore have no respect for the local constituents of each individual Member's district. We have no respect for them.

For we will tell them that what they will have to vote on if we do a term limit amendment is they will have to not vote on a Member that they may want to vote on. They may even want to cast a no vote against the Member, meaning that they would like to vote for someone else with the Member being on the ballot. Just think of it. They do not each have that opportunity.

Mr. FIELDS of Louisiana. If the gentlewoman would yield.

Ms. JACKSON-LEE. I would be happy to yield.

Mr. FIELDS of Louisiana. You make a very good point.

I have heard some arguments that we are to send Members back home, and they need to live with the people and live in the community and work with the folk in their respective communities. And then if they choose to come back then they could run for office after they sit out for 2 years. Well, my God, I do not know about you, but I go home every week.

Ms. JACKSON-LEE. I am right with you.

Mr. FIELDS of Louisiana. I am not removed from the people of the Fourth Congressional District of Louisiana. I return home every week. I meet with people. And at the point, if I ever get to the point that I am not returning home and I am not taking care of the business of the people of the Fourth District of Louisiana, they have every right and the responsibility to go to the polls and vote me out of office.

Ms. JACKSON-LEE. If the gentleman would yield.

Mr. FIELDS of Louisiana. Be happy to be yielded to the gentlewoman.

Ms. JACKSON-LEE. I respect my constituents and, you are very, very right, spend a great deal of time making sure that I interact with the great constituents of the Eighteenth Congressional District.

But what I argue is that the real key to the Founding Fathers in terms of the laymen Congress was the whole concept of responsibility and accessibility. I mean, that is what they wanted to ensure when they designed this format. And so that should be the criteria by which you determine whether you have someone you want to return or someone that you do not want to return.

With that in mind, the interaction with one's constituents is the term limits in and of itself that will be determined every 2 years by constituents saying to you, no, you have not done what we have asked you to do. And, therefore, I raise the question what is this false term limits, in essence?

Because there may be constituents who you have who say, I like the method, the procedure, the way you are doing your business but, more importantly, the way you are representing us. And it would be a disservice to us if we did not get a chance to vote for you or against you based upon our pleasure or displeasure.

We are putting in a false and imaginary buffer between the voting people, the voting public, citizens, owners of the Constitution, and their choice for who they would want to represent them.

Mr. FIELDS of Louisiana. If the gentlewoman would yield.

She mentioned the laymen's legislature and the citizens' legislature, and I have heard those terms throughout the night. But what I find, I find a fault with this argument of the citizens' legislature, laymen's legislature which I would think this legislature should be and every legislature should be. And if it is not, then the people should make the decision as to how it should be, what it should be made of and who it should be made of.

But even States that passed term limits, I find it hard to believe, let us take, say, the State of California, passed term limits. And, by the same token, they talk about how they want to give greater access to people and then they are not implementing the motor voter law, for example.

□ 2245

Giving access to people is by making people a part of this process, and I find it almost unfair to say we want to give people more access to this process and not try to make the voting process as easy as possible, and the voter registration process as easy as possible, because if you really want a citizens' legislature, for example, then you should do everything you can to make sure that citizens have access to the ballot. You cannot have access to the ballot box in this country if you are not registered to vote.

So one of the elements of giving people access to the ballot box is by making sure that we have voter registration laws that afford every citizen the opportunity to partake in the voting process and then after we make sure every citizen can register and we do

not have all of these prohibitions and all of these complicated ways of registering to vote, then we ought to make sure on election day every citizen is afforded that opportunity to go to the polls and vote on election day, and for example, and I will yield back to the gentlewoman, in this past Presidential election, only 35 percent or 37 percent of the people voted. On the average, the maximum we get is 50 percent of the people voting in America. So if you really want to give the citizens of America more access, you create laws that are conducive to giving more access to exercise their constitutional right, registering to vote and then actually exercising their right to vote on election day.

We have four States, as the gentlewoman knows, we have four States in America right now that are refusing to implement the motor voter law, but yet we want a citizens' legislature. Well, afford every citizen in this country the opportunity to go and register to vote in the least complicated format possible, and then encourage them to go and vote on election day. Then maybe we will see some differences in this Congress and in State legislatures across the country if we really want a citizens' legislature.

Let us have voter registration drives in every housing facility in this country, every public housing facility; when you register for section 8, you ought to register to vote at the same time. Public transportation ought to be an element of voter registration. Then we ought to encourage people to go out and vote, and maybe we would change this Congress and more so-called citizens and laymen will be in the halls of this body and other bodies across this country.

Ms. JACKSON-LEE. I wish people would listen to the intent of the discussion here, because one of the interesting points, and I think before we have had an opportunity to address the Speaker, is that we find out that this issue is not one that falls along philosophical lines or party lines. There is going to be a vigorous debate, because this is an issue that goes to the very crux of the Constitution.

This should not be labeled as a contract issue, Contract on America, with America. I am not sure what the thrust of it is.

You have got conservative Republicans and others who understand what the Constitution is truly saying, and that is a representative body of government, in fact, a republic, and I always remind my constituents when we say republic, we are not necessarily labeling a party, Republican, Democratic. It is a form of government that is representative.

What helps you be more representative than to encourage people to make their choices to, as you have said, open up the opportunities of registration? I am certainly a supporter and advocate of the motor vehicle legislation and working hard to ensure that it is work-

ing in the State of Texas, but the key is that let us expand the places where people can register. Let us ensure that our educational system has a real body of instruction that deals with the Constitution and voter participation, and how to access your elected officials. That is where I think the thrust should go.

Because one of the interesting things that I think should be noted, and I share it with my constituents, and might I add, I certainly welcome all the representatives or constituents that come in on issues to my office, that means the businesses that certainly have those prepared and paid individuals that come in. I respect them. But I also recognize many times there are constituents who are home in your district who do not get to come to Washington, DC. They do not get to make their voices heard by way of sitting in your offices in Washington, DC.

How do they get to be heard? One, you interact with them when you come to the district and you better make sure that is a realistic and viable part of what you do for your constituents. The other way they inform you of their voices is through the vote and through the vote every 2 years, being able to vote for you or against you, not by an artificial term limits that comes in and intervenes between that citizen, the purest sense of the word, going to the ballot box, not being told by intervening law that they have the very power in their hands to send you back from the great State of Louisiana or, if I am sent back from the great State of Texas, that is the key that I think that we are missing when we engage ourselves in this very benign, in term limits of its meaning, but certainly very devastating debate in terms of what it does of interfering with the democratic process.

Mr. FIELDS of Louisiana. Does the gentlewoman know that many of the individuals who say they are proponents of term limits are some of the same, very individuals, who are on a bill to repeal motor voter? I mean, I just find it hard, and maybe, you know, maybe I do not have the wherewithal to understand it. I do not know. But I find it hard to understand a person standing in the well saying, "We want to give voters greater access and we want the voters to be able to have more control of their Congress," on one hand, and then on the other hand, turn around and say, But we do not want them to register to vote at a driver's license place, we do not want them to register to vote if they are on some kind of government subsidized program, we do not want them to be able to register to vote as easy as they can under the motor voter law, we do not want that at a time when the voting participation is at an all-time low. It seems like if we really want this Congress to be more citizen-oriented, we ought to get more citizens involved in the process by making sure they have

every opportunity to register to vote and participate in the process.

I think another way we can deal with this problem of how we make sure incumbents are responsible, if that is the whole problem with Congress and with institutions, political institutions, and the thing that we want to address, why not have stronger campaign finance reform laws? You know, I would be for having very, very tough campaign finance reform legislation where the average citizen could, in fact, compete in an open election or in an election against an incumbent. You know, I think we can do something in this Congress to make the playing field a little bit fairer as it relates to incumbent versus challenger. I think that is real discussion.

If we really want to give the average citizen, and I consider myself an average citizen, you know, for some reason or another, there is some thought that people in Congress are not average citizens. I mean, I wake up every morning, I go to work, I go home very week and work with constituents, and I do everything that the average people do. I mean, I work hard. I try to make a difference.

But to give access to the so-called average citizen, Let us make this playing field a little fairer. But you cannot do that by having a \$50 dinner, you know, because most Americans, the vast majority of Americans, cannot afford to pay \$50 to go to a dinner where the funds will be put in some campaign coffers to elect and reelect Members of the Congress.

I just find there is a conflict with this whole argument of we are looking out for the average Joe Blow on the street and we want the average Joe Blow to be able to have access to this Congress, and we are tired off all of these career politicians taking over Congress. I think we really insult the intelligence of voters in this country.

I want to speak now not as a Member of Congress. I want to speak now as a voter. I do not want this Congress telling me that I cannot vote for somebody because they served two term limits. As a matter of fact, I just do not think this Congress has a right to tell me who to vote for, because that is basically what you are telling, who I cannot vote for, so you are telling me who I cannot vote for and can vote for, because if you are telling me I cannot vote for this guy because he served two term limits, then you have limited my options. I just do not think this Congress, I, as a voter, do not think this Congress should tell me I cannot vote for a person irrespective of how well SHEILA JACKSON-LEE represented me, and irrespective of how well SHEILA JACKSON-LEE represented me in the State of Texas; she got up every morning, she is my kind of Representative, she works hard, and when I call her, SHEILA JACKSON-LEE returns my call, and she has town hall meetings, and she also goes into schools and she talks to our children, and she is one of the

best Congresspersons in America as far as I am concerned. And I would be insulted if this Congress tells me I could not vote for SHEILA JACKSON-LEE because this Congress wanted to clean the House out. That is my decision.

If I wanted to clear SHEILA JACKSON-LEE out of the House, then I would do it with my vote, and you cannot tell me and you cannot speak for me, because I am going to do that very well, and I am going to do it at the polls, and I think that is what this argument is all about.

Are we going to let the people decide who sits in this body, or are we going to pass a law saying, it is almost like we have a reputation of doing this sort of stuff, three strikes and you are out, now we have three terms, you are out. Everything is almost like a baseball game here. I do not understand it. I am speaking as a voter. I just do not want this Congress to tell me I cannot vote for a person that represents me well.

Ms. JACKSON-LEE. There are so many points, if the gentleman would yield, that you hit upon that are so very important.

First of all, let me commend you for the untiring manner in which you have come to the House floor to speak about issues that take away from what we have come here for, and that is to enhance freedom. As we stand here and debate and dialog with each other, Americans might be wondering, the lateness of the hour, they might be looking at the Chambers and they might be wondering, and I would simply say that you are to be commended for the commitment, because we are standing here to be able to educate the American people and certainly to reflect upon the great constituents that we represent.

You talked about campaign finance reform, and you might be puzzled about that, because obviously that is not part of the contract. That has not been part of the 100-day session that we are in which should have been. That is a reasonable response to ensuring that the average fellow, if you will, can engage themselves in running for office without this enormous amount of dollars that is very important, and then it is interesting that you had your pledge card. You do not hear a lot of debate about retroactive term limits, because if we are truly going to be pure, and I am looking at an amendment that is being raised by two Members, DINGELL and PETERSON, that talks about if you are going to pass term limits, then make it retroactive, knock out, if you will, all of the Members at this immediate time. You do not get serious debate on that.

Mr. FIELDS of Louisiana. Half of the Members proposing it would not be able to serve tomorrow.

Ms. JACKSON-LEE. That is why I am wondering, is this truly a realistic debate and an honest debate with the American people, or are we trying to make, if you will, a coverup on what actually we are supposed to be doing,

or the contract is supposed to be complying with?

But we are not going to really do an honest review of term limits. We are going to act like it, play around the edges of term limits. I want to be forthright and honest about it. I truly believe it would be an intervening force that would negate the activity of citizens to vote for persons of their choice.

But if we were to do it, then I think retroactivity should be a viable part of any legislation that comes, because you hit it on the nail, hit the nail on the head, you are saying this is the 104th Congress. Well, the 104th Congress would be telling the 105th and 106th and 107th individuals elected by their constituents what to do on something which is so personal and strongly meaningful as voting upon the person whom you would represent.

Let me lastly say to you, what is the structure of Congress? Seniority. How do you help to enhance your constituents? Yes, we have done, as they say, major tasks in just plain hard work, and I respect that. But I do not hear anyone trying to rid this system of a seniority system that, in fact, requires that Members at least have a 2-year term to respond to some of the urgent needs of this American people.

So I would like for it to be an honest debate. Campaign finance reform is not even on the agenda at this time. The issue of seniority that has not even been raised, and then the question of whether or not it is appropriate that if you talk about term limits in a honest manner that you talk about retroactivity which means that my colleagues on the other side of the aisle would immediately have to leave this body, and I am sure they would not mind it in their majority State because they truly believe in term limits.

Let us have a fair and open debate. That is what I think is important.

Mr. FIELDS of Louisiana. I agree with the gentlewoman. Congress is, I mean, every 2 years we have to face the voters. I mean, I think we have the most awesome term limits there is probably in public life, because most offices are 4 years. The U.S. Senate, for example, every 6 years, but the Congress, every 2 years we must go and face voters.

But let me ask the gentlewoman a question, because I have toyed with this question for a while in my mind. If I had to choose between a person who could serve only one term, because there is a term limit, and a person who can serve as long as he is responsible and as long as the voters choose to go to the polls and elect him or her, to me, I would feel more frightened by this person who has a term limit of one term, for example. He knows and she knows in his or her, in their own minds, that they cannot run for reelection, and you tell me, who do you think you would have the most trust in, a person who will never have to come and ask for your vote again; we

elected this person, he goes to Washington, he never is going to have to appear on the ballot as a congressional candidate again.

□ 2300

I got this other guy or lady who can run for reelection; and if they choose to do so, of course, then they will appear on the ballot.

Now I don't know about you, but I just feel much more comfortable as a voter, not as a Member of Congress, as a voter. I feel much more comfortable with voting for this guy where we have got this carrot, and if he does a good job, I am going to send you back.

That is what democracy is all about. You do a good job, I am going to send you back there, and I am going to keep you there.

But this guy here, he knows that I know that he is not going to serve in Congress another day of his life. He does not have to return my phone calls because he does not need my vote. He does not have to do a good job. He can vote against everything that this district believes in. He does not have to hold one town hall meeting.

Now you tell me, who do you feel, not as a Congresswoman but as a voter, who do you feel would be most representative of your views?

Ms. JACKSON-LEE. Well, as the gentleman from Louisiana well knows, it wasn't too long ago when I was not standing here at the well and was that citizen in my hometown. And I could just see glaring headlines when you were talking, government by reckless abandonment.

That is the fellow over there that has got a term, one 2-year term, does not have to worry about responding to any of the issues that his or her constituents are concerned about, clearly articulates views that are off the mark and off the margin, maybe his or her own personal views, does not have to fight and go to the mat for the issues of that district, whether it be highways or whether it deals with energy laws, whether it deals with welfare, whether it deals with business investment, whether it deals with tax cuts or whether it deals with bringing down the deficit.

You had asked the question what he or she is doing. I would simply say to you again, governing by reckless abandonment. It would be simply what they would want to do.

The fellow or the lady that is dealing with the fact that they have to present themselves to the voters, they have to stand up to the test, and voters can be as sharp and to the point on their issues, do not sell any of those individuals cheap or undermine their understanding. And they ask the hard questions of where you have been over the last 2 years on the issue. And if you want their confidence, that is the question. You are taking away voters giving an elected official the confidence of their vote.

The most high honor that you can get from an individual is their confidence in voting for you. You take that away. You undermine the very system of government, and you leave it to reckless abandonment when you ensure that you have an artificial term-limiting process.

Mr. FIELDS of Louisiana. If the gentlewoman would yield on this final point.

And I really think that what we do, we are saying, what we are saying to voters across America, we are actually reaching into every congressional district, 435 congressional districts across the country, and we are saying to people in those districts, you are too stupid to do what is right. You keep sending the same people here time and time again.

Well, you know, to me that is an insult to a voter's intelligence. If they say people served in this Congress x number of years, it has only been because the people in that district evidently wanted them to serve.

Ms. JACKSON-LEE. The choice is theirs.

Mr. FIELDS of Louisiana. I want to thank the gentlewoman from Texas for joining me tonight in the special order. I thank the Speaker.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. UNDERWOOD (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LEWIS of Georgia) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

Mr. MFUME, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Mr. POSHARD, for 5 minutes, today.

(The following Members (at the request of Mr. INGLIS of South Carolina) to revise and extend their remarks and include extraneous material:)

Mr. GOSS, for 5 minutes, today.

Mr. DORNAN, for 5 minutes each day, today and on March 29.

Mr. KINGSTON, for 5 minutes each day, today and on March 29.

Mr. FORBES, for 5 minutes, today.

Mr. SHAYS, for 5 minutes, on March 29.

Mr. HANCOCK, for 5 minutes, today.

Mr. BRYANT of Tennessee, for 5 minutes, today.

Mr. LATHAM, for 5 minutes, today.

Mr. JONES, for 5 minutes, on March 29.

Mr. DAVIS, for 5 minutes, on March 29.

Mr. TIAHRT, for 5 minutes, today.  
Mr. FOX, for 5 minutes, today.  
Mr. HILLEARY, for 5 minutes, today.  
Mr. INGLIS, of South Carolina, for 5 minutes, today.  
Mr. TATE, for 5 minutes, today.  
Mr. GRAHAM, for 5 minutes, today.  
Mr. RIGGS, for 5 minutes, today.  
Mr. DUNCAN, for 5 minutes, today.  
Mr. FOLEY, for 5 minutes, today.  
Mr. METCALF, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. LEWIS of Georgia) and to include extraneous matter:)

Mr. ENGEL.

Mr. HASTINGS, in two instances.

Mr. GORDON.

Mr. GIBBONS.

Mrs. SCHROEDER.

Mr. KLECZKA.

Mr. LANTOS.

Mr. STOKES, in two instances.

Mr. TRAFICANT.

Mr. MILLER of California.

Ms. PELOSI.

Mrs. MALONEY, in two instances.

Mr. RICHARDSON.

Mr. PAYNE of New Jersey, in two instances.

Mr. WILLIAMS.

Mr. STARK.

Mr. FILNER.

Mr. MENENDEZ.

(The following Members (at the request of Mr. INGLIS of South Carolina) and to include extraneous matter:)

Mr. WELLER.

Mr. MCDADE.

Mr. SAM JOHNSON of Texas.

Mr. SMITH of New Jersey.

Mr. ZIMMER.

Mr. CRANE.

Mr. HOBSON.

Mr. DICKEY.

Mr. PACKARD.

Mr. QUINN.

Mr. CASTLE.

Mr. FOLEY.

Mr. EMERSON.

Ms. MOLINARI.

Mr. HOKE.

Mr. ENGLISH of Pennsylvania.

Mr. CHAMBLISS.

Mr. SOLOMON in three instances.

(The following Members (at the request of Ms. JACKSON-LEE) and to include extraneous matter:)

Mr. MARTINI.

Mr. GILLMOR.

Mr. PASTOR.

#### ADJOURNMENT

Mr. FIELDS of Louisiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 5 minutes p.m.), the House adjourned until Wednesday, March 29, 1995, at 11 a.m.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

618. A letter from the Acting Secretary, Department of Agriculture, transmitting a draft of proposed legislation to amend the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act to recover the full costs for Federal inspection of meat, poultry, and egg products performed at times other than an approved primary shift; to the Committee on Agriculture.

619. A letter from the Secretary, Department of Energy, transmitting the annual report on research and technology development activities supporting defense waste management and environmental restoration, pursuant to Public Law 101-189, section 3141(c)(1), (2) (103 Stat. 1680); to the Committee on National Security.

620. A letter from the Chairman, Federal Financial Institutions Examination Council, transmitting the Council's 1994 annual report, pursuant to 12 U.S.C. 3305; to the Committee on Banking and Financial Services.

621. A letter from the National Foundation on the Arts and the Humanities, transmitting the Federal Council on the Arts and the Humanities' 19th annual report on the Arts and Artifacts Indemnity Program for fiscal year, 1994, pursuant to 20 U.S.C. 959(c); to the Committee on Economic and Educational Opportunities.

622. A letter from the Secretary, Department of Energy, transmitting notification that the study to evaluate the legal, institutional, and other constraints to connecting buildings owned and leased by the Federal Government to district heating and cooling plants will be transmitted to Congress by the end of July 1995, pursuant to Public Law 102-486, section 152(g)(2) (106 Stat. 2848); to the Committee on Commerce.

623. A letter from the Secretary of Energy, transmitting a draft of proposed legislation to provide for the sale of oil from the Strategic Petroleum Reserve and the transfer of oil from Weeks Island, and for other purposes; to the Committee on Commerce.

624. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance [LOA] to Egypt for defense articles and services (Transmittal No. 95-13), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

625. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

626. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Secretary's Memorandum of Justification under section 610 of the Foreign Assistance Act to support Baltic peace-keeping; to the Committee on International Relations.

627. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-31, "Advisory Neighborhood Commission Special Election Repeal Temporary Amendment Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

628. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-32, "Technical Amendments Act of 1995," pursuant to D.C. Code,

section 1-233(c)(1); to the Committee on Government Reform and Oversight.

629. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-34, "Budget Implementation Temporary Act of 1995," to the Committee on Government Reform and Oversight.

630. A letter from the U.S. Agency for International Development, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

631. A letter from the U.S. Office of Special Counsel, transmitting the 1994 annual report in compliance with the Inspector General Act Amendments of 1988, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Reform and Oversight.

632. A letter from the Chairman, Pennsylvania Avenue Development Corporation, transmitting a draft of proposed legislation to amend the Pennsylvania Avenue Development Corporation Act of 1972 to authorize appropriations for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House, and for other purposes, pursuant to 31 U.S.C. 1110; to the Committee on Resources.

633. A letter from the Director, Federal Bureau of Prisons, transmitting the Federal Bureau of Prisons annual report on functional literary requirements for all individuals in Federal correctional institutions, pursuant to Public Law 101-647, section 2904 (104 Stat. 4914); to the Committee on the Judiciary.

634. A letter from the Secretary of Labor, transmitting the annual report on employment and training programs for veterans during program year 1992 (July 1, 1992 through June 30, 1993) and fiscal year 1993 (October 1, 1992 through September 30, 1993) pursuant to 38 U.S.C. 2009(b); to the Committee on Veterans' Affairs.

635. A letter from the Secretary of the Treasury, transmitting a report on the Savings Bonds Program; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON  
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McCOLLUM: Committee on the Judiciary. H.R. 1240. A bill to combat crime by enhancing the penalties for certain sexual crimes against children; with an amendment (Rept. 104-90). Referred to the Committee of the Whole House on the State of the Union.

Mr. CANADY: Committee on the Judiciary. H.R. 660. A bill to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons; with an amendment (Rept. 104-91). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ENGLISH of Pennsylvania:

H.R. 1326. A bill to authorize and request the President to award the Congressional Medal of Honor posthumously to Bvt. Brig. Gen. Strong Vincent for his actions in the defense of Little Round Top at the Battle of

Gettysburg, July 2, 1863; to the Committee on National Security.

By Mr. KASICH (for himself, Mr. ARCHER, and Mr. BLILEY):

H.R. 1327. A bill to provide tax relief to strengthen the American family and create jobs, to reduce Federal spending and the budget deficit, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Budget, Commerce, Government Reform and Oversight, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGLISH of Pennsylvania (for himself and Mr. DOYLE):

H.R. 1328. A bill to amend the Internal Revenue Code of 1986 to provide that no amount shall be includable in gross income by reason of participation in a State prepaid tuition program; to the Committee on Ways and Means.

By Mr. EVANS (for himself, Mr. GUTIERREZ, Mr. KENNEDY of Massachusetts, Ms. PELOSI, Mr. GENE GREEN of Texas, Mr. GEJDENSON, Mr. FILNER, Mr. UNDERWOOD, Mr. DEFAZIO, Mr. COSTELLO, Mr. FROST, Mr. DOYLE, Mr. SANDERS, Mr. JOHNSON of South Dakota, Mr. FATTAH, Mr. BISHOP, and Mr. DELLUMS):

H.R. 1329. A bill to amend title 38, United States Code, to extend the period of eligibility for inpatient care for veterans exposed to toxic substances, radiation, or environmental hazards, to extend the period of eligibility for outpatient care for veterans exposed to such substances or hazards during service in the Persian Gulf, and to expand the eligibility of veterans exposed to toxic substances or radiation for outpatient care; to the Committee on Veterans' Affairs.

By Mr. HAYES (for himself, Mr. SHUSTER, Mr. TAUZIN, Mr. YOUNG of Alaska, Mr. EMERSON, Mr. PETE GEREN of Texas, Mr. SOLOMON, Mr. COSTELLO, Mr. CLINGER, Ms. DANNER, Mr. BLUTE, Mr. LAUGHLIN, Mr. BATEMAN, Mr. PARKER, Mr. HUTCHINSON, Mr. KIM, Mr. EWING, Mr. INGLIS of South Carolina, Mr. DICKEY, Mr. ENGLISH of Pennsylvania, Mr. BREWSTER, Mr. MICA, Mr. FIELDS of Texas, Mr. COBLE, Mr. DUNCAN, Mr. DOOLITTLE, Mrs. FOWLER, Mr. HANSEN, Mr. CALVERT, Mr. LATHAM, Mr. POMBO, Mrs. CUBIN, Mr. JONES, Mrs. LINCOLN, Mr. TAYLOR of North Carolina, Mr. SHADEGG, Mrs. CHENOWETH, Mr. DELAY, Mr. POSHARD, Mr. BAKER of Louisiana, Mr. WAMP, Mr. LIVINGSTON, Mr. CLEMENT, Mr. PACKARD, Mr. LEWIS of California, Mr. LAHOOD, Mr. DEAL of Georgia, Mr. QUINN, and Mr. GALLEGLY):

H.R. 1330. A bill to amend the Federal Water Pollution Control Act to establish a comprehensive program for conserving and managing wetlands in the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. FURSE (for herself, Mr. HASTINGS of Florida, Mr. MANTON, Mr. RICHARDSON, Mr. BEILENSEN, Mr. YATES, Mr. WYDEN, Mr. DICKS, Mr. DEFAZIO, Ms. WOOLSEY, Mr. VENTO, Ms. NORTON, Ms. MCKINNEY, Mr. HINCHEY, Mr. MORAN, Mr. SANDERS, Mr. STUDDS, Mr. BARRETT of Wisconsin, Mr. PORTER, Ms. ESHOO, Mr. EVANS, Ms. VELÁZQUEZ, Mr. MILLER of California, Mr. SERRANO, Ms. ROYBAL-ALLARD, Mr. GILCHREST, Mr. FROST, Mr. BRYANT of Texas, Ms. RIVERS, Mr. CONYERS, Mr. MARKEY,

Ms. SLAUGHTER, Mr. ENGLISH of Pennsylvania, Mr. DELLUMS, Mr. TRAFICANT, Ms. PELOSI, Mr. GIBBONS, Mr. WISE, Mrs. MEEK of Florida, Mr. RUSH, Ms. LOFGREN, Mr. JACOBS, Mr. TAYLOR of Mississippi, Mr. BROWN of California, Mrs. MORELLA, Mr. ROSE, Mr. RANGEL, Mrs. LOWEY, Mr. McDERMOTT, Mr. OLVER, Mr. FARR, Mr. PALLONE, Mr. THOMPSON, and Mr. CLYBURN):

H.R. 1331. A bill to amend the Watershed Protection and Flood Prevention Act to establish a waterways restoration program, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLEGLY (for himself and Mr. FALEOMAVAEGA):

H.R. 1332. A bill to establish certain policies and responsibilities with respect to the administration of the Rongelap resettlement trust fund, and for other purposes; to the Committee on Resources.

By Mr. MINGE (for himself, Mr. KLUG, Mr. SHAYS, Mr. CASTLE, Mr. McHALE, Mr. DICKEY, Mrs. WALDHOLTZ, and Mr. DEAL of Georgia):

H.R. 1333. A bill to require that excess funds provided for official allowances of Members of the House of Representatives be dedicated to deficit reduction; to the Committee on House Oversight.

By Ms. MOLINARI (for herself, Mr. CALVERT, Mr. KING, Mr. McHUGH, Mr. PAXON, Mr. SKEEN, and Mr. UNDERWOOD):

H.R. 1334. A bill to amend title XIX of the Social Security Act to provide a financial incentive for States to reduce expenditures under the Medicaid Program, and for other purposes; to the Committee on Commerce.

By Mr. MOLLOHAN:

H.R. 1335. A bill to provide for the extension of a hydroelectric project located in the State of West Virginia; to the Committee on Commerce.

By Mr. MONTGOMERY:

H.R. 1336. A bill to suspend through September 30, 1995, the duty on certain textile manufacturing machinery; to the Committee on Ways and Means.

By Mr. PASTOR (for himself, Mr. COLEMAN, and Mr. BRYANT of Texas):

H.R. 1337. A bill to amend the Federal Water Pollution Control Act to authorize appropriations in each of fiscal years 1996 through 1998 for the construction of wastewater treatment facilities to serve United States Colonias and to provide water pollution control in the vicinity of the international boundary between the United States and Mexico; to the Committee on Transportation and Infrastructure.

By Mr. PASTOR (for himself, Mr. FILNER, Mr. COLEMAN, and Mr. BRYANT of Texas):

H.R. 1338. A bill to amend the Federal Water Pollution Control Act to authorize appropriations in each of fiscal years 1996–2001 for the construction of wastewater treatment works to provide water pollution control in or near the United States–Mexico border area; to the Committee on Transportation and Infrastructure.

By Mr. RICHARDSON (for himself, Ms. ESHOO, Mr. FROST, Mr. McHALE, Ms. RIVERS, Mr. VENTO, Mr. MINGE, Ms. LOWEY, Ms. PELOSI, Mr. LOFGREN, and Mr. DELLUMS):

H.R. 1339. A bill to amend title XIX of the Social Security Act to provide for mandatory coverage of services furnished by nurse practitioners and clinical nurse specialists

under State Medicaid plans; to the Committee on Commerce.

By Mrs. SMITH of Washington:

H.R. 1340. A bill to modify the project for Bonneville Lock and Dam, Columbia River, OR and Washington; to the Committee on Transportation and Infrastructure.

By Mr. STROKES (for himself, Mr. PAYNE of New Jersey, Mr. MFUME, Mr. CONYERS, Mr. DELLUMS, Mr. OWENS, Mrs. COLLINS of Illinois, Mr. DIXON, Mr. CLAY, Mr. TUCKER, Mrs. CLAYTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RANGEL, Mr. TOWNS, Mr. WYNN, Mr. SCOTT, Mr. BISHOP, Mr. FRAZER, Mr. HASTINGS of Florida, Mrs. MEEK of Florida, Mr. WATT of North Carolina, Mr. CLYBURN, Ms. BROWN of Florida, Mr. LEWIS of Georgia, Ms. WATERS, Mr. JEFFERSON, Mr. FIELDS of Louisiana, Mr. FATTAH, Ms. JACKSON-LEE, Mr. FORD, Ms. MCKINNEY, Ms. NORTON, Mr. HILLIARD, Mr. FLAKE, Mr. RUSH, Mr. THOMPSON, Mr. REYNOLDS, and Miss COLLINS of Michigan):

H.R. 1341. A bill to amend the Public Health Service Act to provide authorizations of appropriations for programs relating to the health of individuals who are from disadvantaged backgrounds, including individuals who are members of racial or ethnic minority groups; to the Committee on Commerce.

By Mr. YOUNG of Alaska:

H.R. 1342. A bill to provide for conveyances of certain lands within Cook Inlet Region, AK, for reconveyance to village corporations under the Alaska Native Claims Settlement Act; to the Committee on Resources.

By Mr. BILIRAKIS (for himself, Mrs. MALONEY, Mr. GEKAS, Mr. ZIMMER, Mr. ENGEL, and Mr. KLINK):

H. Con. Res. 50. Concurrent resolution concerning the protection and continued livelihood of the Eastern Orthodox Ecumenical Patriarchate; to the Committee on International Relations.

By Mr. COX:

H. Con. Res. 51. Concurrent resolution expressing the sense of the Congress relating to the removal of Russian troops from Kaliningrad; to the Committee on International Relations.

By Mr. ROHRBACHER:

H. Con. Res. 52. Concurrent resolution expressing the sense of the Congress regarding the visit of the Prime Minister of New Zealand, the Hon. James Bolger; to the Committee on International Relations.

## MEMORIALS

Under clause 4 of rule XXII.

28. The SPEAKER presented a memorial of the House of Representatives of the State of Maine, relative to memorializing the Congress and the President of the United States to suspend the July 26, 1995, deadline for sanctions against the State of Maine under the Federal Clean Air Act Amendments of 1990; to the Committee on Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause I of rule XXII.

Mr. GOSS introduced a bill (H.R. 1343) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Beula Lee*; which was referred to the Committee on Transportation and Infrastructure.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 42: Mr. BONO, Mr. OBERSTAR, Ms. ROSELEHTINEN, and Mr. HASTINGS of Florida.

H.R. 70: Mr. HALL of Texas and Mr. FAZIO of California.

H.R. 120: Mr. McKEON and Mr. MFUME.

H.R. 218: Mr. STUMP.

H.R. 224: Mrs. CHENOWETH, Mr. BONO, Mr. CALVERT, Mr. DORNAN, Mr. ZELIFF, and Mr. LIVINGSTON.

H.R. 264: Mr. BROWN of California.

H.R. 359: Mrs. MINK of Hawaii, Mr. SCARBOROUGH, and Mr. DELLUMS.

H.R. 558: Mr. BENTSEN.

H.R. 559: Mr. KLECZKA, Mr. LAFALCE, and Mr. OLVER.

H.R. 580: Mr. BOUCHER, Mr. VOLKMER, Mrs. MEEK of Florida, Mr. SKEEN, Mr. NEY, Mr. McHUGH, Mr. THORNBERRY, Mr. PICKETT, Mr. ACKERMAN, Mr. SCHIFF, Mr. STUMP, Mr. SHUSTER, Mr. CANADY, and Mr. CHAPMAN.

H.R. 586: Mr. ENGEL.

H.R. 653: Mrs. LOWEY, Mr. GILMAN, and Mrs. KELLY.

H.R. 655: Mr. BAKER of California.

H.R. 660: Mr. SMITH of New Jersey, Mr. LINDER, Mr. STUMP, and Mrs. SMITH of Washington.

H.R. 682: Mr. INGLIS of South Carolina, Mr. SPRATT, Mr. FROST, and Mr. HILLIARD.

H.R. 709: Mr. JEFFERSON and Mr. NADLER.

H.R. 789: Mrs. MEYERS of Kansas, Mrs. MORELLA, Mr. PASTOR, Mr. EHRLICH, Mr. McHALE, and Mr. BARCIA.

H.R. 795: Mr. LAHOOD and Mr. LARGENT.

H.R. 843: Mr. ZIMMER.

H.R. 860: Mr. ZELIFF.

H.R. 878: Mr. SCHUMER, Mr. FROST, Mr. DOYLE, Mr. GENE GREEN of Texas, Mr. McHUGH, Ms. MOLINARI, Mr. BROWN of Ohio, Mr. BISHOP, and Mrs. LOWEY.

H.R. 1018: Mr. EMERSON and Mr. EWING.

H.R. 1023: Mr. BISHOP and Mr. DELLUMS.

H.R. 1024: Mr. BROWNBAC, Mr. MCINTOSH, and Mr. KIM.

H.R. 1029: Mrs. FOWLER, Mr. UPTON, and Mr. HILLIARD.

H.R. 1077: Mrs. WALDHOLTZ.

H.R. 1085: Mr. GORDON.

H.R. 1103: Mrs. CLAYTON, Mr. McHUGH, Mr. HERGER, Mr. HASTINGS of Washington, and Mr. JONES.

H.R. 1111: Mr. MCINTOSH and Mr. SMITH of Texas.

H.R. 1118: Mr. SMITH of Texas, Mr. CUNNINGHAM, Mr. COLLINS of Georgia, Mr. RIGGS, Mr. PETRI, and Mr. GENE GREEN of Texas.

H.R. 1142: Mr. CHRISTENSEN and Mr. LATOURETTE.

H.R. 1143: Mr. BRYANT of Tennessee and Mr. CANADY.

H.R. 1144: Mr. CANADY.

H.R. 1147: Mr. EVANS, Mr. DURBIN, Mr. FRANK of Massachusetts, Ms. MCKINNEY, Mr. UNDERWOOD, Mr. LIPINSKI, Mrs. SCHROEDER, Mr. STARK, and Mr. WOLF.

H.R. 1170: Mr. HANCOCK, Mr. BAKER of Louisiana, and Mrs. CHENOWETH.

H.R. 1176: Mrs. FOWLER, Mr. LAHOOD, Mr. BASS, Mr. STUMP, Mr. PACKARD, Mr. CHRISTENSEN, Mr. BURR, Mr. RAMSTAD, Mr. ARMEY, Mr. BLILEY, Mr. KLUG, Mr. SENSENBRENNER, Mr. ISTOOK, Mr. HALL of Texas, Mr. HERGER, Mr. GOSS, Mr. CANADY, Mr. THORNBERRY, Mr. BILBRAY, Mr. DREIER, Mr. LIVINGSTON, Mr. BAKER of California, Mr. BACHUS, Mr. BATEMAN, Mr. SKEEN, and Mr. WICKER.

H.R. 1229: Mr. MORAN, Mr. LIPINSKI, Mr. FILNER, and Mr. FOX.

H.R. 1232: Mr. CRAPO, Mr. COOLEY, and Mr. HAYWORTH.

H.R. 1274: Mr. SEXTON and Ms. FURSE.



H.R. 1300: Mr. FRISA, Ms. MOLINARI, Mr. WHITFIELD, and Mr. JONES.

H.R. 1318: Mr. HANCOCK.

H.J. Res. 3: Mr. HANCOCK.

H.J. Res. 48: Mr. GUTKNECHT.

H.J. Res. 61: Mr. GOODLATTE.

H.J. Res. 70: Mr. CLYBURN, Mr. HILLIARD, Mr. GENE GREEN of Texas, Mr. BENTSEN, Mr. OWENS, Ms. RIVERS, Mr. McDERMOTT, Mrs. MEEK of Florida, Mr. NORTON, Mr. WILSON, and Mr. KENNEDY of Massachusetts.

H.J. Res. 76: Mr. TORKILDSEN, Mr. WHITE, Mr. WHITFIELD, Ms. FURSE, Mr. HANCOCK, and Mr. HOKE.

H.J. Res. 79: Mr. EDWARDS.

H. Con. Res. 12: Mr. MORAN, Mr. ENGEL, and Mr. PARKER.

H. Con. Res. 19: Mr. SENSENBRENNER.

H. Con. Res. 45: Mr. WATTS of Oklahoma, Mr. FOX, Mr. THOMPSON, Mr. TORKILDSEN, and Mr. HALL of Texas.

H. Res. 59: Mr. SABO, Mr. LEVIN, Mr. LEWIS of Georgia, and Mr. MARKEY.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4. The SPEAKER presented a petition of the mayor of the city of DeRidder, LA, relative to a petition for damages filed by two residents of Beauregard Parish; which was referred to the Committee on the Judiciary.

## AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1215

OFFERED BY: MR. BROWDER

AMENDMENT NO. 1: After section 1 of the bill insert the following new sections (and conform the table of contents accordingly):

### SEC. 2. EFFECTIVE DATES DELAYED UNTIL FEDERAL BUDGET PROJECTED TO BE IN BALANCE.

(a) IN GENERAL.—Notwithstanding any other provision of this Act and any amendment made by this Act, except as otherwise provided in this section—

(1) any reference in this Act (or in any amendment made by this Act) to 1995 (other than to the short title of this Act) shall be treated as a reference to the calendar year ending in the first successful deficit reduction year,

(2) any reference in this Act (or in any amendment made by this Act) to any later calendar year shall be treated as a reference to the calendar year which is the same number of years after such first calendar year as such later year is after 1995,

(3) any reference in this Act to the date of the enactment of this Act shall be treated as a reference to the date of the certification referred to in subsection (b)(1), and

(4) any reference to the base year for any adjustment based on a change in the gross domestic product deflator or the Consumer Price Index shall be treated as a reference to the calendar year preceding the calendar year referred to in paragraph (1).

(b) FIRST SUCCESSFUL DEFICIT REDUCTION YEAR.—For purposes of this section and section 3—

(1) IN GENERAL.—The term "first successful deficit reduction year" means the first fiscal year beginning after the date of the enactment of this Act with respect to which there is an OMB certification before the beginning of such fiscal year that the budget of the United States will be in balance by fiscal year 2002 based upon estimates of enacted legislation, including the amendments made by this Act.

(2) OMB CERTIFICATION.—The term "OMB certification" means a written certification by the Director of the Office of Management and Budget to the President and the Congress.

(c) CERTIFICATION DURING 1995.—Subsections (a) and (d) shall not apply if there is

an OMB certification made during 1995 that the budget of the United States will be in balance by fiscal year 2002 based upon estimates of enacted legislation, including the amendments made by this Act.

(d) SPECIAL RULES.—

(1) CAPITAL GAINS; INDEXING; NEUTRAL COST RECOVERY.—Any reference in subtitle A or B of title III (or in any amendment made by such subtitles) to December 31, 1994, or January 1, 1995, shall be treated as a reference to the day preceding and the day on which, respectively, the certification referred to in subsection (b)(1) is made.

(2) LESSOR IMPROVEMENTS; MINIMUM TAX.—Any reference in section 322 or 331 of this Act (or in any amendment made by such sections) to March 13 or March 14, 1995, shall be treated as a reference to the day preceding and the day on which, respectively, the certification referred to in subsection (b)(1) is made.

(e) TECHNICAL CORRECTIONS.—This section and section 3 shall not apply to title VI and the amendments made by such title.

### SEC. 3. TERMINATION OF TAX BENEFITS IF FEDERAL BUDGET DEFICIT REDUCTION TARGETS ARE NOT MET.

(a) NO CREDITS, DEDUCTIONS, EXCLUSIONS, PREFERENTIAL RATE OF TAX, ETC.—No tax benefit provided by any provision of the Internal Revenue Code of 1986 added by this Act shall apply to any taxable year beginning after the calendar year in which the first failed deficit reduction year ends.

(b) FIRST FAILED DEFICIT REDUCTION YEAR.—For purposes of this section, the term "first failed deficit reduction year" means the first year (beginning after the earliest date on which any amendment made by this Act takes effect) with respect to which there is an OMB certification during the 3-month period after the close of such fiscal year that the actual deficit in the budget of the United States for such fiscal year was greater than the deficit target for such fiscal year specified in the following table:

<b>In the case of fiscal year:</b>	<b>The deficit target (in billions) is:</b>
1996 .....	\$150
1997 .....	125
1998 .....	100
1999 .....	75
2000 .....	50
2001 .....	25
2002 or thereafter .....	0.

(c) NO RECOVERY OF FOREGONE COST-OF-LIVING ADJUSTMENT.—Any change in the gross domestic product deflator or the Consumer Price Index which would (but for this section) be taken into account under any amendment made by this Act for any period shall be reduced by the portion of such change attributable to any calendar year beginning after the first failed deficit reduction year.

(d) PHASEIN OF BENEFITS SUSPENDED.—For purposes of applying sections 86(a)(3), 1979(b)(1), and 2010(c)(1) of the Internal Revenue Code of 1986 (as added by this Act) and section 203(f)(8)(b)(D) of Social Security Act (as added by this Act), in lieu of applying subsection (a), the level of benefit under each such section with respect to the calendar year in which the first failed deficit reduction year ends shall apply with respect to all succeeding calendar years.

(e) RESTORATION OF TERMINATED MINIMUM TAX PROVISIONS.—If any tax benefit does not apply to any taxable year by reason of subsection (a), the provisions of subpart G of part IV, and part VI, of subchapter A of chapter 1 of the Internal Revenue Code of 1986 as in effect on the day before the date of the enactment of this Act shall apply to such taxable year.

(f) INSURANCE RESERVES.—In lieu of applying subsection (a), the amendment made by

section 221(b) shall not apply to contracts issued after the calendar year in which the first failed deficit reduction year ends.

H.R. 1215

OFFERED BY: MR. ORTON

AMENDMENT NO. 2: At the end of title I of the bill insert the following new sections (and conform the table of contents accordingly):

### SEC. 105. CERTAIN RETIREMENT PLANS AUTHORIZED TO MAKE EQUITY INVESTMENTS IN PRINCIPAL RESIDENCES FOR FIRST-TIME HOMEBUYERS.

(a) EXEMPTION FROM PROHIBITED TRANSACTION RULES.—Section 4975 (relating to tax on prohibited transactions) is amended by redesignating subsections (h) and (i) as subsections (i) and (j), respectively, and by inserting after subsection (g) the following new subsection:

"(h) SPECIAL RULE FOR HOME EQUITY PARTICIPATION ARRANGEMENTS.—

"(1) IN GENERAL.—The prohibitions provided in subsection (c) shall not apply to any qualified home equity participation arrangement.

"(2) QUALIFIED HOME EQUITY PARTICIPATION ARRANGEMENT.—For purposes of this subsection—

"(A) IN GENERAL.—The term 'qualified home equity participation arrangement' means an arrangement—

"(i) under which the trustee of an individual retirement plan, at the direction of the eligible participant, shall acquire an ownership interest in any dwelling unit which within a reasonable period of time (determined at the time the arrangement is executed) is to be used as the principal residence for a first-time homebuyer, and

"(ii) which meets the requirements of subparagraph (B) of this paragraph.

"(B) OWNERSHIP INTEREST REQUIREMENT.—An arrangement shall meet the requirements of this subparagraph if the ownership interest described in subparagraph (A)—

"(i) is a fee interest in such property (and, in the case of an arrangement which is not otherwise at arm's length, the trustee's fee interest would be reasonable in an arm's length arrangement),

"(ii) by its terms requires repayment in full upon the sale or other transfer of the dwelling unit, and

"(iii) may not be used as security for any loan secured by any interest in the dwelling unit.

"(3) DEFINITIONS.—For purposes of this subsection—

"(A) ELIGIBLE PARTICIPANT.—The term 'eligible participant' means an individual on whose behalf an individual retirement plan is established.

"(B) FIRST-TIME HOMEBUYER.—The term 'first-time homebuyer' means an individual who—

"(i) is an eligible participant or qualified family member, and

"(ii) had (and if married, such individual's spouse had) no present ownership interest in a principal residence at any time during the 36-month period before the date of the arrangement.

"(C) QUALIFIED FAMILY MEMBER.—The term 'qualified family member' means a child (as defined in section 151(c)(3)), parent, or grandparent of the eligible participant (or such participant's spouse). Section 152(b)(2) shall apply in determining if an individual is a parent or grandparent of an eligible participant (or such participant's spouse).

"(D) ACQUISITION; ETC.—

"(i) ACQUISITION.—The term 'acquisition' includes construction, reconstruction, and improvement related to such acquisition.

“(ii) ACQUISITION COST.—The term ‘acquisition cost’ has the meaning given such term by section 143(k)(3).

“(E) PRINCIPAL RESIDENCE.—The term ‘principal residence’ has the same meaning as when used in section 1034.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to arrangements entered into after the date of the enactment of this Act.

**SEC. 106. LOANS USED TO ACQUIRE PRINCIPAL RESIDENCES FOR FIRST-TIME HOMEBUYERS.**

(a) INDIVIDUAL RETIREMENT PLANS.—Section 408(e) (relating to tax treatment of accounts and annuities) is amended by adding at the end thereof the following new paragraph:

“(7) LOANS USED TO PURCHASE A HOME FOR FIRST-TIME HOMEBUYERS.—

“(A) IN GENERAL.—Paragraph (3) shall not apply to any qualified home purchase loan made by an individual retirement plan.

“(B) QUALIFIED HOME PURCHASE LOAN.—For purposes of this paragraph, the term ‘qualified home purchase loan’ means a loan—

“(i) made by the trustee of an individual retirement plan at the direction of the individual on whose behalf such plan is established,

“(ii) the proceeds of which are used for the acquisition of a dwelling unit which within a

reasonable period of time (determined at the time the loan is made) is to be used as the principal residence for a first-time homebuyer,

“(iii) which by its terms requires repayment in full not later than the earlier of—

“(I) the date which is 15 years after the date of acquisition of the dwelling unit, or

“(II) the date of the sale or other transfer of the dwelling unit,

“(iv) which by its terms treats any amount remaining unpaid in the taxable year beginning after the period described in clause (iii) as distributed in such taxable year to the individual on whose behalf such plan is established and subject to section 72(t)(1), and

“(v) which bears interest from the date of the loan at a rate not less than 2 percentage points below, and not more than 2 percentage points above, the rate for comparable United States Treasury obligations on such date.

Nothing in this paragraph shall be construed to require such a loan to be secured by the dwelling unit.

“(C) DEFINITIONS.—For purposes of this paragraph—

“(i) FIRST-TIME HOMEBUYER.—The term ‘first-time homebuyer’ has the meaning given such term by section 4975(h)(3)(B).

“(ii) ACQUISITION.—The term ‘acquisition’ has the meaning given such term by section 4975(h)(3)(D)(i).

“(iii) PRINCIPAL RESIDENCE.—The term ‘principal residence’ has the same meaning as when used in section 1034.

“(iv) DATE OF ACQUISITION.—The term ‘date of acquisition’ means the date—

“(I) on which a binding contract to acquire the principal residence to which subparagraph (B) applies is entered into, or

“(II) on which construction, reconstruction, or improvement of such a principal residence is commenced.”

(b) PROHIBITED TRANSACTION.—Section 4975(d) (relating to exemptions from tax on prohibited transactions) is amended by striking “or” at the end of paragraph (14), by striking the period at the end of paragraph (15) and inserting “; or”, and by inserting after paragraph (15) the following new paragraph:

“(16) any loan that is a qualified home purchase loan (as defined in section 408(e)(7)(B)).”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to loans made after the date of the enactment of this Act.