EXTENSIONS OF REMARKS

TERM LIMITS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, April 5, 1995, into the CONGRESSIONAL RECORD.

TERM LIMITS

In recent years public frustration with the performance of government has been fueled by various scandals and a lack of progress on the budget deficit and other pressing national issues. I share this frustration. Among the many proposals to alleviate this problem are campaign finance reform, tougher ethics laws, restrictions on lobbyists, and term limits for elected officials. The new congressional leadership has chosen to focus solely on term limits.

Recently the House considered several different versions of a constitutional amendment to limit the number of terms for Members of the House and Senate. Some versions included a 12-year limit for Representatives and Senators; another imposed a shorter 6-year limit on Representatives. Other options would allow states to impose stricter limits if they so desired. None of the amendments received the necessary ⅔ vote needed for passage.

Supporters of term limits contend that they are necessary to assure a ''legislature of citizens'', bringing new blood to Washington and competition to the political process. With term limits, Members might not be tempted to protect their legislative careers at the expense of the country. A completely new membership would restore confidence in Congress and promote confidence in Congress and promote bolder decision-making on Capitol Hill. Although supporters of term limits raise some legitimate concerns, in my view the arguments against term limits are more persuasive.

TIME LAG

Term limits advocates argue that changing the Constitution is necessary to get legislators to tackle the tough issues we face as a nation today. Yet the main version they push would have no effect for almost two decades. Once approved by Congress, the term limits amendment would have to be ratified by the states, and they would have 7 years to do so. If ratified, the amendment would only apply to elections after ratification, which means 12 additional years of service for sitting members. Thus the first year in which someone would actually leave office because of term limits could be 19 years from now—the year 2014. This is clearly not an answer to today's problems.

ACCOUNTABILITY

Elections keep Members accountable. Under term limits, however, a large proportion of the House would be ineligible for reelection, and could completely ignore their constituents, missing votes, staying away from their home districts, and lining up lucrative jobs after they leave Congress. This republic has been well-served since its birth by the belief that accountability in elected officials should be enforced by voters through frequent elections. Why should voters be denied the right to return those who have maintained their public trust? That is why I have also opposed the present constitutional term limits imposed on Presidents. Term limits dilute the accountability of elected officials.

POWER

One unintended consequence of term limits is that by eliminating experience in elected office, power would shift to unelected special interest groups, congressional staff, and federal bureaucrats. In our system of government, power does not simply evaporate; it flows to others—to the unelected and unaccountable. It is hard to imagine a greater advantage for a President or the special interests than to purge Congress of experienced legislators who are experts on certain issues, who understand the workings of government, and who remember the problems of the past.

EXPERIENCE

Term limits penalize experience. No other profession does that, and no other country imposes term limits on national legislators. Our country's founders noted that courage by public officials not to pander to the people requires a self-confidence and credibility that only experience can bring. Experience gives Members the ability to stand up to powerful special interests. The nation benefits from having Members in Congress who debated the Persian Gulf War, health care reform, Watergate, tax reform, and the savings and loan crisis. Experience helps us avoid mistakes of the past. I am not persuaded that in this day of very complicated problems an inexperienced legislature is better than a more professional legislature.

HIGH CONGRESSIONAL TURNOVER

Term limits are unnecessary. Elections work. There is already substantial turnover in the membership of Congress. More than 50% of the House has served less than 5 years, and the average length of service is already less than 12 years. Voters have shaken up Congress a great deal in a short amount of time. Congress is improved by the flow of fresh ideas from these new legislators, just as it is improved by the insights of experience. The best solution is to allow voters to determine the proper balance between freshness and experience.

DEMOCRACY

Term limits are fundamentally undemocratic. Our founding fathers specifically rejected term limits because they limit the choice of the voter to choose who will represent them. Term limits substitute an arbitrary rule for the independent judgement of voters. In effect, the present electoral system provides strong term limits every two years. A citizen who believes a Member of Congress should not serve more than a few years is free to vote against the incumbent, but a law should not prevent other voters from voting for a particular person. If the problem is poor representation, the solution is campaign finance reform and lobbying restrictions, which would expand democracy and limit special interests instead of limiting the voters' choice.

In the end, I do not think that term limits would deal with the causes of frustration with Congress that prompt support for term limits in the first place—certainly not until well into the 21st century. They would do nothing to deliver services better, or cut government waste, or solve any of the social problems that desperately need solving. We are again looking for a procedural fix when we really need to start dealing with the substantive issues. Term limits are a barometer of the discontent with government that exists around the country, and all Members should heed the warning.

INTRODUCTION OF FOUR BILLS TO IMPROVE FEDERAL CONTRACTING PRACTICES

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 1995

Ms. NORTON. Mr. Speaker, today I am introducing four bills to bring some accountability and cast a search light on the elusive, stealth ''shadow government.'' This government we cannot see is the proliferating and largely unmonitored private contract service sector and work force from which the Federal Government procures services. Although a huge $105 billion Goliath, this sector has emerged unscathed and uncut at a time when deficit reduction has spared few others.

In fact, service contracting constitutes the fastest growing area of Federal Procurement. In the 1980's, Federal officials acted as if they wanted to contract out the entire Government. From fiscal year 1989 to fiscal year 1992 alone, before the Clinton administration came into office, the number of contractors doing business with the Government rose from 62,819 to 82,472. Over that same period, the amount of money shelled out to contractors of all kinds mushroomed from $184 billion to almost $200 billion. Service contracts alone account for $105 billion of the $200 billion spent each year on outside contracts.

This is a Government-created and financed monster that the OMB itself concedes is out of control. How extraordinary, then, that in a budget which has left no visible stone unturned, this large Federal expenditure has remained hidden in the shadows and has not contributed a single dollar of mandated cuts to deficit reduction, as Federal agencies and employees have. How remarkable that, despite a Government-wide effort to promote efficiency, we have not considered the inefficiency of guaranteeing contractors an invulnerable chuck of tax dollars.

The Clinton administration, to its credit, has worked hard to make service contractors more responsive—for example, by proposing new performance-based standards for existing service contracts. how surprising, then, that the budget the Congress is now considering proposes no cuts in funds allocated for service contracts—thus leaving untouched a huge source of potential savings—while demanding continued sacrifices from the career work force that makes up the ''visible government.'' Thus far, the shadow government has not registered beneath the green eyeshades of budget cutters, including the Congress.