U.S. industry by imposing through a majority vote a mere, simple majority vote, an excessive burden on just one industry.

For those who say that tax limitation is a radical idea, let me point out that one-third of all Americans today reside in a State in which there is a constitutional supermajority requirement in their own constitution. The other argument we will hear is that this provision is unworkable. In point of fact, as rewritten by the House, it would allow revenue-neutral tax reform to go forward. What it would not do, however, is allow this Congress to reach into the pockets of Federal taxpayers already overburdened, and take yet one more time from those taxpayers.

The fundamental purpose of a constitutional amendment ought to be to seek to restore to the Constitution the founders' original intent. I would suggest that that is precisely what this amendment does. If we look at the history of this Nation over the past four decades, we will see that the Supreme Court has read the commerce clause so expansively that the Government is vastly more powerful than it was in the past. This measure, this simple idea of saying to raise taxes yet once again we ought to have a supermajority, will provide needed restraint. I urge its adoption.

A PROPOSED CONSTITUTIONAL AMENDMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Colorado [Mr. SKAGGS] is recognized during morning business for 5 minutes.

Mr. SKAGGS. Mr. Speaker, as past Members who have addressed the House this morning have pointed out, later today we will take up an amendment to this Constitution of the United States. I want to address myself for the moment to the process by which this proposed amendment has been brought to the House.

Passing for the moment the fact that I believe it is a bad idea and bad constitutional law, even worse is how we consider it today under a process that insults the intelligence and responsibility of Members of the House, that contradicts any suggestion that this House is able to operate in a thoughtful and considered manner, and that demands and debases the very process of constitutional amendment itself.

The original proposal brought forward by the gentleman from Texas [Mr. BARTON], House Joint Resolution 159, received a single hearing before the House Committee on the Judiciary on March 6. It was then essentially removed from the committee and scheduled for a vote on the floor today. It was not marked up or approved by the Committee on the Judiciary. That committee, Mr. Speaker, is vested with the responsibility and authority under the rules of the House to give the kind of thoughtful consideration to a constitutional amendment that I believe the people of America think ought to obtain.

House Joint Resolution 159 was then replaced, or will be if the rule before the House later today is enacted, by an entirely new proposal, House Joint Resolution 169.

□ 1200

This version of this constitutional amendment was first introduced in the House on the evening of Thursday, March 28. It was considered by the Committee on Rules the next day. On the morning of March 29, and reported to the House. And then this House went on recess for 2 weeks, the entire intervening time between consideration in the Committee on Rules and today. So very few Members have had an opportunity even to see the text of this amendment, much less to study and understand its implications.

Again, this proposal has had no hearing at all in the Committee of jurisdiction, no markup, no regular deliberative process whatsoever. Let us stop and think about that for a second. Surely second only perhaps to the responsibility that we have in Congress in considering a declaration of war, second only to that, an amendment to the Constitution, an amendment to the Constitution ought to command the most serious and deliberate sort of legislative review, examination and analysis that we are capable of. It deserves better treatment than a rush job to meet a politically sexy vote deadline that the majority admits is a matter of symbolism. Symbolism in amending the fundamental document of this country.

Mr. Speaker, the Constitution should not be used to make political statements.

There are many, many issues that are raised by this proposal, and I will speak about those later on today. One has to do with the fundamental contradiction of the principle of majority rule on which this country is based. In fact, if this were to become part of the Constitution, 34 Senators, representing less than 10 percent of the people of the country, could hold power over this important area of legislation.

Mr. Speaker, it would lock us in, for all practical purposes, to whatever the current tax structure might be at the time of its ratification. It will get in the way of many, many of the necessary things we are going to have to do to get the budget balanced, especially in areas of entitlement reform. It may unintentionally, or intentionally, who knows, actually get in the way of tax cuts because, for instance, those who are the strongest advocates of a capital gains tax reduction argue that that will actually increase revenues, and under this provision, that would require a two-thirds vote. Why? Because it is not whether the tax rate goes up, but whether revenues go up that controls whether a two-thirds vote is to be required.

So, there are many, many issues here that have not been examined because this proposal has been rushed through in derogation of every single rule of procedural regularity that the House is supposed to adhere to. Of course, it is exactly to examine and understand issues such as those I've mentioned that we refer legislation, especially amendments to the Constitution, to committee. However, that was not done in this case.

Mr. Speaker, because of the extraordinary abuse of process involved in bringing this matter to the floor, I want to put my colleagues on notice that I reserve the right to exercise every procedural right to a vote on every procedural matter that may be involved in consideration of this issue.

□ 1300

1993 CLINTON TAX INCREASE

The SPEAKER pro tempore (Mr. HOBSON). Under the Speaker's announced policy of May 12, 1995, the gentleman from Texas [Mr. SAM JOHNSON] is recognized during morning business for 5 minutes.

Mr. SAM JOHNSON of Texas. Mr. Speaker, today is April 15, tax day, and this is the day when Americans send their tax dollars to Washington and when the IRS sends its agents out to audit Americans, and you know this day, believe it or not, on this day, Americans have to work 21 more days to pay all their Federal, State and local taxes. So it is not over today.

We have a chance to offer today some security to every American by making it harder for the Government to raise their taxes. Today we are going to vote on a constitutional amendment to require a two-thirds vote to raise taxes. You know, I thank the gentleman from Texas [Mr. BARTON], my good friend, for this hard work on behalf of the American people.

This amendment should have been adopted back in 1993 because that is when the President and his fellow Democrats passed the largest tax increase in the history of this Nation, and it squarely broke the backs of the American people. This amendment would have allowed Americans to keep more of their money for themselves, for their families, for their savings and for their future. That big Clinton tax increase meant that families and workers pay more every time they drive to work, or take their kids to soccer practice, or their family on a vacation. This is because the President increased the Federal gasoline tax by 4.3 cents. I bet most of my colleagues do not even know what their gasoline tax is. In the State of Texas, it amounts to 38½ cents a gallon. That is one-fourth of your total gasoline tax or gasoline bill and most pumps do not tell you that you that. That big Clinton tax increase meant seniors pay more on their social security benefits because that was raised, as well. So for seniors, the