

limit the second session of Congress was rejected before the Resolution passed, 63 to 7, 25 not voting.¹²

In the House, the Committee on Election of the President, Vice President, and Representatives in Congress reported S.J. Res. 14 with an amendment in the nature of a substitute measure.¹³ Among numerous suggested alterations, the substitute proposed ending presidential terms on January 24 and congressional terms on January 4, providing for succession in the event of the death or lack of qualification of the President-elect or Vice President-elect, making provision in case of the death of candidates from which Congress might have to choose a President or Vice President, and setting an effective date for the first two sections of the amendment.

The House began consideration of S.J. Res. 14 under an open rule on February 12, 1932.¹⁴ On February 13, numerous amendments to the committee substitute were offered, all of which were either rejected or withdrawn. The two amendments withdrawn by their sponsors would have required ratification of the amendment within 7 years of its submission to the States and provided that Congress could, by concurrent resolution, set an assembly date other than January 4.¹⁵ The rejected amendments called for ratification of the Twentieth Amendment by State conventions, extension of Representatives' terms to 4 years, and limitation of the second session of Congress.

After the House debate concluded, the Election Committee's substitute was approved and recommitted to the committee, with instructions to report it back with a new section establishing a mandatory 7-year ratification period.¹⁶ Once the Resolution was amended accordingly and again reported by the Committee on Election, it passed the House 204 to 134, 43 not voting.¹⁷ Minor differences between the House and Senate versions were quickly resolved in conference.¹⁸

Ratification history

The Twentieth Amendment was sent to the States for ratification in March of 1932; and within 1 year, all 48 States had ratified. Virginia was the first State to ratify, on March 4, 1932; and on January 23, 1933, Utah became the required 36th State to approve the Amendment. The ratification dates of each of the States appear below:

Virginia, Mar. 4, 1932.
New York, Mar. 11, 1932.
Mississippi, Mar. 16, 1932.
Arkansas, Mar. 17, 1932.
Kentucky, Mar. 17, 1932.
New Jersey, Mar. 21, 1932.
South Carolina, Mar. 25, 1932.
Michigan, Mar. 31, 1932.
Maine, Apr. 1, 1932.
Rhode Island, Apr. 14, 1932.
Illinois, Apr. 21, 1932.
Louisiana, Jun. 22, 1932.
West Virginia, Jul. 30, 1932.
Pennsylvania, Aug. 11, 1932.
Indiana, Aug. 15, 1932.
Texas, Sep. 7, 1932.
Alabama, Sep. 13, 1932.
California, Jan. 4 1933.
North Carolina, Jan. 5, 1933.
North Dakota, Jan. 9, 1933.
Minnesota, Jan. 12, 1933.
Arizona, Jan. 13, 1933.
Montana, Jan. 13, 1933.
Nebraska, Jan. 13, 1933.
Oklahoma, Jan. 13, 1933.
Kansas, Jan. 16, 1933.
Oregon, Jan. 16, 1933.
Delaware, Jan. 19, 1933.
Washington, Jan. 19, 1933.
Wyoming, Jan. 19, 1933.
Iowa, Jan. 20, 1933.

South Dakota, Jan. 20, 1933.
Tennessee, Jan. 20, 1933.
Idaho, Jan. 21, 1933.
New Mexico, Jan. 21, 1933.
Georgia, Jan. 23, 1933.
Missouri, Jan. 23, 1933.
Ohio, Jan. 23, 1933.
Utah, Jan. 23, 1933.
Colorado, Jan. 24, 1933.
Massachusetts, Jan. 24, 1933.
Wisconsin, Jan. 24, 1933.
Nevada, Jan. 26, 1933.
Connecticut, Jan. 27, 1933.
New Hampshire, Jan. 31, 1933.
Vermont, Feb. 2, 1933.
Maryland, Mar. 24, 1933.
Florida, Apr. 26, 1933.

With more than the necessary number of States having ratified, the Twentieth Amendment was certified as part of the Constitution on February 6, 1933, by Secretary of State Henry L. Stimson. Section 5 of the Amendment provided that Section 1 and 2 would become effective on October 15, 1933; therefore, the terms of newly-elected Senators and Representatives began on January 3, 1934, and the terms of the President and Vice President began on January 20, 1937.¹⁹

The Twentieth Amendment appears officially as 47 Stat. 2569.

FOOTNOTES

- ¹United States Constitution, Article VII.
²Carl Brent Swisher, *American Constitutional Development* (Boston: Houghton Mifflin, Co., 1943), 723.
³*Annals of the Congress of the United States, 1795* (Washington, D.C.: Gales & Seaton, 1849), 5: 853.
⁴*Congressional Globe*, 26th Congress, 2nd Session, 1840, 9: 44.
⁵*Congressional Record*, 70th Congress, 2nd Session, 1928-1929, 70: 1-8; H. Doc. 551.
⁶*Congressional Record*, 67th Congress, 4th, Session, 1932, 64, Pt. 4: 3505-3507.
⁷*Ibid.*, 3540-3541.
⁸*Ibid.*, 70th Congress, 1st Session, 1928, 69, Pt. 4: 4430.
⁹*Ibid.*, 71st Congress, 3rd Session, 1931, 74, Part 6: 5906-5907.
¹⁰*Ibid.*, 5907-5908.
¹¹For a summary of these five proposals see: *Congressional Record*, 72nd Congress, 1st Session, 1931-1932, 75.
¹²*Congressional Record*, 1372-1384.
¹³*Ibid.*, 72nd Congress, 1st Session, 1932, 75.
¹⁴*Ibid.*
¹⁵*Ibid.*, 3856-3857, 3875-3876.
¹⁶*Ibid.*, 3857-78.
¹⁷4059-60.
¹⁸*Ibid.*
¹⁹*Virginia Commission on Constitutional Government, The Constitution of the United States*, (Richmond, 1965), 36-37.

ADDITIONAL COSPONSORS

S. 1491

At the request of Mr. GRAMS, the names of the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Idaho [Mr. KEMPTHORNE], and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 1491, a bill to reform antimicrobial pesticide registration, and for other purposes.

S. 1521

At the request of Mr. DOLE, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 1521, a bill to establish the Nicodemus National Historic Site in Kansas, and for other purposes.

S. 1532

At the request of Mr. SIMON, the names of the Senator from Virginia [Mr. ROBB] and the Senator from Oklahoma [Mr. INHOFE] were added as cosponsors of S. 1532, a bill to provide for the continuing operation of the Office

of Federal Investigations of the Office of Personnel Management, and for other purposes.

S. 1534

At the request of Mr. HATFIELD, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 1534, a bill to amend the Public Health Service Act to provide additional support for and to expand clinical research programs, and for other purposes.

S. 1644

At the request of Mr. BROWN, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 1644, a bill to authorize the extension of nondiscriminatory treatment (most-favored-nation) to the products of Romania.

S. 1646

At the request of Mr. DOMENICI, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of S. 1646, a bill to authorize and facilitate a program to enhance safety, training, research and development, and safety education in the propane gas industry for the benefit of propane consumers and the public, and for other purposes.

SENATE RESOLUTION 85

At the request of Mr. CHAFEE, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of Senate Resolution 85, a resolution to express the sense of the Senate that obstetrician-gynecologists should be included in Federal laws relating to the provision of health care.

SENATE RESOLUTION 215

At the request of Mr. LAUTENBERG, the name of the Senator from Illinois [Ms. MOSELEY-BRAUN] was added as a cosponsor of Senate Resolution 215, a resolution to designate June 19, 1996, as "National Baseball Day."

SENATE CONCURRENT RESOLUTION 58—TELEPHONE NUMBER OWNERSHIP CONCURRENT RESOLUTION OF 1996

Mr. D'AMATO submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation.

S. CON. RES. 58

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SHORT TITLE.

This Resolution may be cited as the "Telephone Number Ownership Resolution of 1996".

SEC. 2. FINDINGS.

The Congress finds that—

(1) under existing law, the Federal Communications Commission is the administrator, not the owner, of telephone numbers, and has no authority to auction, or impose user fees for, any number within the North American Numbering Plan, nor does any other Federal agency;

(2) auctions of toll-free numbers will increase consumer fraud and confusion by allowing competitors to profit from the established reputation associated with existing toll-free numbers;

(3) there are a total of 21 countries in the North American Numbering Plan, including

the United States of America, Canada, and most Caribbean countries, and decisions affecting universally available toll-free numbers should not be made without a consensus among the participating nations;

(4) the value of a toll-free telephone number is derived solely from the efforts of the holder to create value in it; and

(5) the right of first refusal for companies with toll-free numbers that have become a unique brand identity will ensure that customers reach their intended service provider.

SEC. 3. SENSE OF THE CONGRESS.

It is the sense of the Congress that—

(1) the Federal Communications Commission lacks legal authority to conduct auctions or other revenue raising activities in connection with the allocation of any number within the North American Numbering Plan.

(2) if the Congress is to authorize such activities, procedures will be required—

(A) to protect any value attaching to new toll-free numbers by reason of a private business investment in the advertisement or public awareness of the corresponding 800 number, by granting a right of first refusal or other protection to the subscriber to that corresponding 800 number;

(B) to prevent unjust enrichment and inefficient use of toll-free numbers by measures designed to prevent speculation, hoarding, and other "gaming" of the allocation system; and

(C) to protect consumers from fraud and confusion by preventing the misrepresentation of established toll-free numbers; and

(3) the Federal Communications Commission should submit to the Congress a plan for the allocation of toll-free 888 numbers that contains procedures described in paragraph (2), together with its recommendations for legislative authorization of such allocation.

AMENDMENTS SUBMITTED

THE CONGRESSIONAL BUDGET CONCURRENT RESOLUTION

GRASSLEY (AND OTHERS) AMENDMENT NO. 3963

Mr. GRASSLEY (for himself, Mr. EXON, Mr. KOHL, Mr. KERRY, Mr. FEINGOLD, Mr. HARKIN, Mr. BUMPERS, Mr. SIMON, and Mr. DORGAN) proposed an amendment to the concurrent resolution (S. Con. Res. 57) setting forth the congressional budget for the United States Government for fiscal years 1997, 1998, 1999, 2000, 2001, and 2002; as follows:

On page 4, line 8, decrease the amount by \$8,300,000,000.

On page 4, line 17, decrease the amount by \$2,300,000,000.

On page 8, line 3, decrease the amount by \$8,300,000,000.

On page 8, line 4, decrease the amount by \$2,300,000,000.

On page 52, line 11, decrease the amount by \$8,300,000,000.

On page 52, line 12, decrease the amount by \$2,300,000,000.

On page 59, at the end of line 2, insert "This section shall not apply to defense discretionary budget authority and budget outlays caps for fiscal year 1997."

KYL AMENDMENT NO. 3964

(Ordered to lie on the table.)

Mr. KYL submitted an amendment intended to be proposed by him to the concurrent resolution (S. Con. Res. 57) supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE REGARDING A SUPERMAJORITY REQUIREMENT FOR RAISING TAXES.

(a) FINDINGS.—The Senate finds that—

(1) the Nation's current tax system is indefensible, being overly complex, burdensome, and severely limiting to economic opportunity for all Americans;

(2) fundamental tax reform should be undertaken as soon as practicable to produce a tax system that is fairer, flatter, and simpler; that promotes, rather than punishes, job creation; that eliminates unnecessary paperwork burdens on America's businesses; that recognizes the fact that families are performing the most important work of our society; that provides incentives for Americans who save for the future in order to build a better life for themselves and their families; that allows Americans, especially the middle class, to keep more of what they earn, but that raises enough money to fund a leaner, more efficient Federal Government; and that allows Americans to compute their taxes easily; and

(3) the stability and longevity of any new tax system designed to achieve these goals should be guaranteed with a supermajority vote requirement so that Congress cannot easily raise tax rates, impose new taxes, or otherwise increase the amount of a taxpayer's income that is subject to tax.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that this concurrent resolution on the budget assumes fundamental tax reform should be accompanied by a proposal to amend the Constitution of the United States to require a supermajority vote in each House of Congress to approve tax increases.

NOTICES OF HEARINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on Tuesday, May 21, 1996, at 11 a.m., in SR-328A to conduct confirmation hearings on the following:

Brooksley E. Born, of Washington, DC, to be Chairman of the Commodity Futures Trading Commission and to be Commissioner of the Commodity Futures Trading Commission for the remainder of the term expiring April 13, 1999.

David D. Spears, of Kansas, to be Commissioner of the Commodity Futures Trading Commission for the term expiring April 13, 2000.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. WARNER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet in SR-301, Russell Senate Office Building, on Wednesday, May 22, 1996, at 9:30 a.m., on Public Access to Government Information in the 21st Century, with a focus on the GPO Depository Program/Title 44.

For further information concerning this hearing, please contact Joy Wilson of the Committee staff.

COMMITTEE ON SMALL BUSINESS

Mr. BOND. Mr. President, I wish to announce that the Committee on Small Business will hold a business meeting on Wednesday, May 22, 1996, beginning at 9:30 a.m., in room 428A of the Russell Senate Office Building to vote on the

nomination of Ms. Ginger Ehn Lew to be Deputy Administrator of the U.S. Small Business Administration and to markup the "Small Business Investment Company Improvement Act of 1996."

For further information, please contact Paul Cooksey.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Wednesday, May 15, 1996, at 9:30 A.M., in SR-332, to discuss how the Commodity Futures Trading Commission oversees markets in times of volatile prices and tight supplies.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, May 15, 1996, for purposes of conducting a full committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this meeting is to consider pending calendar business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, May 15, 1996, at 10 A.M., to hold a hearing on "combating violence against women."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, May 15, 1996, beginning at 9:30 a.m., until business is completed, to hold a hearing on Campaign Finance Reform.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, May 15, 1996, beginning at 10 a.m., until business is completed, to hold a hearing on Campaign Finance Reform.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Select