

**OPERATIONS OF THE CONGRESS: TESTIMONY FROM
HON. WENDELL H. FORD; HON. KAREN SHEP-
HERD; HON. ERIC D. FINGERHUT; HON. TILLIE
FOWLER; HON. PETER G. TORKILDSEN; HON.
PATTY MURRAY; HON. ROBERT F. BENNETT;
HON. PAUL COVERDELL**

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**JOINT COMMITTEE ON THE
ORGANIZATION OF CONGRESS**

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

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APRIL 1, 1993



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SEN; HON. PATTY MURRAY; HON. ROBERT F.
BENNETT; HON. PAUL COVERDELL**

THURSDAY, APRIL 1, 1993

UNITED STATES CONGRESS,
JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS,
Washington, DC.

The committee met, pursuant to notice, at 10:45 a.m. in room SC-5, The Capitol, Hon. Lee H. Hamilton (co-chairman of the committee) presiding.

**OPENING STATEMENT OF HON. LEE H. HAMILTON, A U.S.
REPRESENTATIVE FROM THE STATE OF INDIANA**

Chairman HAMILTON. This meeting of the Joint Committee on the Organization of Congress is in order. This will close 4 weeks of hearings about budget process reform. We will receive testimony from Senator Wendell Ford, a Member of the Joint Committee, as well as Assistant Majority Leader of the Senate and Chairman of the Senate Committee on Rules. After Senator Ford's testimony, the Joint Committee will hear the views of seven freshman Members of the House and Senate about a wide range of Congressional reform issues.

Senator Ford will speak about an important proposal for reforming the budget process, the proposal that budgeting be shifted from an annual to a biannual basis. I believe that Senator Ford's proposal merits very serious consideration from all of us. Biannual budgeting may help streamline the budget process and promote long-term thinking. He has an excellent statement and we look forward to hearing from him.

After Senator Ford, two panels of House freshmen will appear. First, Representative Eric Fingerhut and Karen Shepherd will discuss the recommendations of the House Democratic Freshmen Task Force on Reform. They will be followed by a panel comprised of Representatives Tillie Fowler and Peter Torkildsen, who will present the reform recommendations of the House Republican freshmen class.

Following the presentations of the House freshmen Members, the Joint Committee will hear from three freshmen Members of the Senate, who will present their own suggestions for improving Con-

gress. First, Senator Patty Murray will appear, to be followed by a panel composed of Senators Robert Bennett and Paul Coverdell.

Chairman HAMILTON. Senator Ford, we're delighted to have you join us this morning. We appreciate your taking the time to be with us, and we look forward now to your testimony, unless other Members have any statement they would like to make. Do any of my colleagues have a comment or statement? If not, Senator Ford, you may proceed, sir.

**STATEMENT OF HON. WENDELL H. FORD, A U.S. SENATOR FROM
THE COMMONWEALTH OF KENTUCKY**

Senator FORD. Thank you, Mr. Chairman. Let me just say this to you. I pray that this Committee finds some answers to the organizational structure of Congress so we can be more efficient, we can have more oversight, and we can do those things that we know we should do and just haven't found the time to do it. My statement this morning will not be very long. It will not be nuts and bolts, but it will give you some of my thoughts and how I feel as it relates to a 2-year budget.

As a Member of this Committee myself, I'm aware of some of the many distinguished and knowledgeable people who have already shared their ideas on Congressional reform with you, and it's an honor to have my comments added to those.

This Committee was created with the sole purpose of looking for ways to make Congress more efficient and more accountable to the American people, including procedural changes and reducing the number of committees. I'm here today to talk about implementation of a 2-year budget cycle. This is an issue I've been championing with my colleague, Senator Roth, since 1981. I believe in its potential as strongly now as I did then. Maybe, just maybe, its time has arrived.

Putting the Federal Government on a 2-year budget would help accomplish the mission of efficiency and effectiveness set forth by this Committee. The 2-year budget is more than a good idea, it's a tested idea. When Senator Roth and I went before the very first joint hearing on budget reform, the 2-year budget was a new notion here in Washington, but it was already standard practice in 22 states, including my own.

I came before those joint hearings as a former Governor, who had first-hand experience with a 2-year budget. As Chairman of the Rules Committee, I come before you today having first-hand experience, and my good friend, Ted Stevens, who is a ranking Member, has had experience with a 2-year budget on the committee level.

When I was Governor, 2-year budgeting helped us to lay out a master plan for the entire State, and that master plan enabled agencies, local governments, and constituency groups to do long-term planning. Planning led to greater efficiency, overall cost savings, and equally important, peace of mind about future funding.

In 1991, after Senate Committees had experienced one 2-year budget cycle, Senator Nunn testified before the Rules Committee that the 2-year committee budget "allowed us to spend more time actually administering our budget and has given us greater flexibility in planning our activities and meetings, and meeting unfore-

seen requirements." Senator Nunn also lent his support to putting the Federal Government on a 2-year budget cycle, calling failure to do so, a missed opportunity that would "save the military and the taxpayers a great deal of money because they would be able to plan in advance," and that, my colleagues, is what this proposal is all about.

I did not come here today to sell this as a new gimmick, guaranteed to reduce the deficit, I came here to offer a management tool. And while it won't replace the tough decision-making necessary for deficit reduction, it will make our work on the deficit and the Federal budget more efficient and more effective, and that is precisely the goal, I believe, of this Committee.

A 2-year budget not only provides for more long-term planning on all levels of government and eliminates redundancies in the budget process, it also provides much needed time for program oversight—oversight that can help prevent another savings and loan crisis, oversight that can target instances of waste or abuse, oversight that can save the taxpayers dollars.

At the State level, Mr. Chairman, I've seen cities and counties and the State worry about when the budget's going to be passed—a continuing budget annually, and the uncertainty about how much money's going to be available in the second year or the next year, so if we can have a 2-year budget, cities, counties, and states can plan and know that a certain amount of money will be there next year—they don't rush with a contract, they take their time, and they get more cents—C-E-N-T-S—out of their dollar.

I've watched the 2-year budget in airport expansion in my State, where you know that the next year the State will give you their 5 percent—the city and county have their 5 percent, so they can begin to plan to build that airport and build—that's just one instance—so I think a 2-year budget will help all of us.

We can plan better in ways to spend our money and give us the opportunity to do a job I know this Congress can do, and that's to have the oversight to eliminate waste and fraud. Thank you, Mr. Chairman.

[The prepared statement of Senator Ford is printed in the Appendix.]

Chairman HAMILTON. Thank you very much, Senator Ford. Congressman Dreier and I will defer questions. We'll begin with Senator Boren.

If you don't have any questions, David, that's all right.

Chairman BOREN. I just have one or two very brief ones, thank you, Mr. Chairman.

Senator Ford, if we go to a 2-year budget proposal as many states have, how do you guard against the possibility that you're just going to continue to have a whole spate of supplementals, and then you'll be back redoing or revisiting a lot of the controversial decisions—those that had a very close vote in the first place. Is there any way that you can guard against that? Should we look at reprogramming authority on a broader scale or something else with committees?

Senator FORD. Mr. Chairman, I think that we can form a 2-year budget proposal to accommodate most any problems there. You can change a 1-year budget now, and you can change a 2-year budget

later, but if you make the political decisions in the first year, most of us are glad they're over.

Chairman BOREN. Right.

Senator FORD. Then when they're over, in the second year you can do the oversight that is necessary and the oversight that will firm up the decisions made in the first year—so yes, there's some problem about jurisdiction and not being able to do this on a year-by-year-basis, and I still think that the changes that will give all of the constituency groups, counties, and governmental entities the opportunity to plan, outweighs anything we can do here on a 1-year basis.

Chairman BOREN. Well, I think that makes a lot of sense.

On a related topic, we've had some different testimony before us about the budget process itself and about the structure of the budget committees as well, and I'd be curious to get your reaction. We've had some people suggest that we perhaps should have a joint budget committee between the House and the Senate as opposed to both Houses having budget committees, in an attempt to try to bring together a leadership consensus earlier on in terms of the budget.

Others have said, "No," they think we should still have the two separate budget committees of the two Houses, but that perhaps, they should become leadership committees composed of the key Chairs and ranking Members of the committees that are affected by the budget resolutions, so that you could perhaps, again, form a consensus that would hold together better as the process goes along.

As I said, we've had a whole variety. There have been probably a dozen different ways of looking at that, including those that would suggest we keep the status quo as well. Do you have any thoughts about whether we should keep the budget committee process pretty much as it is, or whether or not it might be advisable to look at some of these other alternatives?

Senator FORD. Mr. Chairman, I think it's this Committee's responsibility to look at other alternatives. I think you must look at other alternatives. There are some good ideas from Members of this Committee and there are good ideas that we can encourage and foster from other Members, and I'm sure you're going to hear some of those. I think maybe if you listen to the freshmen—the new ones that come on board, what they've heard out there, and what they've had an opportunity to work with, you're going to find some ideas.

I don't want to get into the position of saying that this one will work better than the other one. I think if you and this Committee come up with a workable budgetary process, once that budgetary process is decided, lay the 2-year budget down on top of it, and I think that you'll have the best of both worlds.

I'm just convinced that we can save money, we can stretch our dollars, people will be more comfortable, and they will relax about not going too fast, and when you go too fast spending money, most of the time you make mistakes, so if you are thoughtful in doing your contracts in a reasonable way at the local level, I think you'll find the response from our constituents to be overwhelming.

Chairman BOREN. Just one brief question on a slightly different subject. The part of improving oversight and improving efficiency of the legislative process, many have suggested, and certainly the feeling that I have relates to, again, our Committee—the number of committees, the committee jurisdiction and committee memberships that we have—that for example, if you have a government agency reporting to 20 different subcommittees or 30 different subcommittees, it's very difficult. Conference committees are very difficult where we have maybe 10 or 11 or 12 different committees with overlapping jurisdiction.

We're now up to—you get a various number on those, we keep, every week, running another study and coming up with a different figure—close to 300 committees and subcommittees now between the two Houses, many with overlapping jurisdiction, and many trying to look at the same problems. Do you think that it would be advisable for us to try to bring that down within the bounds of a reasonable number?

And I wonder how you respond—I think Senator Bird, among others, had the suggestion that we now have time so fractured—many of our witnesses have talked about it—in the middle of a day, our time is so fractured between so many different things, we can't concentrate.

Part of it is because we're Members of far too many committees. The average Member of the Senate is a Member of 12 committees and subcommittees. We go up to a high of 23 with various Members having wavers, and some witnesses—I believe, Senator Byrd among them—suggested that if we would really reduce—start with the process of reducing the number of committees that Members can serve on and stopping the waver process—

Senator FORD. I just wrote it down.

Chairman BOREN. And then go from that, we would find probably, that a lot of committees—subcommittees especially—would become underpopulated once you really had to choose between the things that really matter to you—and then trim back significantly.

Whether that number is 100 committees and subcommittees all together or whether it's 75 or whatever, it's certainly not 300, and a lot of Committee Chairmen, I would assume, probably would welcome cutting back the number of subcommittees and some of the committees, at least—some have to have them.

Do you think it would be advisable for us to try to do this—and politically and procedurally, because we've got to be practical about how we accomplish it. Do you think starting with the sort of concept that you couldn't serve on more than certain number of committees and subcommittees would be the way to start, and then trim the number of committees from there?

Senator FORD. Mr. Chairman, my father told me a long time ago that in politics, you'll have your hide torn off, but when it grows back, you're tougher.

[Laughter.]

Senator FORD. When you make this decision, your hide's going to come off, but you're going to be tougher, and the Congress is going to be better for it.

My judgment is that we ought to have 200 slots in the Senate for A committees, 100 slots for B committees, and that ends it. I have

two A committees and one B committee, and I work hard every day. I just don't have enough time—I don't see how my colleagues and I—I don't want to say they do not, but I do not see how they have the time to spend on four A committees and two or three B committees. It just seems that it's—how they organize their time, I will not know.

Let me give you just a little bit of experience. We reorganized Kentucky State government many years ago when I was Governor. We had all kind of committees, and the Speaker of the House would organize another committee—if you needed to vote for Speaker, you always gave him another committee and they would get bigger and bigger.

[Laughter.]

Senator FORD. We stopped that, and we reduced it to 14 committees—14 committees on the House side—a larger number, of course—and 14 committees on the Senate side. They all had the same jurisdiction, so when you referred to a bill in the House or a bill in the Senate, it went to the identical committee.

Of course, we meet for 60 days every other year and then we develop the interim committees, so when we join them together, we join the committees with the same jurisdiction at one time. The House was Chairman 1 year, and the Senate was Chairman the second year. I think it has to be done.

We have a little more complex situation here than, of course, the State, but we deal with most of the items that we deal with here in Washington, except that Washington sends it down to the states.

If we could come close to having 200 and 100 and do that, and for the Senate and the House to approve it—or at least the Senate to approve 200 and 100—I think we'd be much better off, and we'll have more time to do oversight, and more time to do the things that are of interest to us as individuals and our constituents. I think we'll make a mark if we do that.

Having that little experience in State government, I think it's important.

Chairman BOREN. Thank you very much.

Chairman HAMILTON. OK. We have Senator Kassebaum, Mr. Walker, Senator Lugar, Ms. Holmes Norton, Mr. Emerson, Ms. Dunn, and Senator Stevens, and the Chair recognizes Senator Kassebaum.

Senator KASSEBAUM. Thank you, Mr. Chairman. Senator Ford, I will be brief. I strongly support your belief that a 2-year budget cycle, 2-year appropriation cycle would be beneficial.

I was interested in your last comment in talking about the structure of the State government in Kentucky, and what you said about combining the committee jurisdiction. Would you think that would work for us here if—for instance, let's take armed services—you combined the appropriation and the authorization jurisdiction into just an armed services committee?

Senator FORD. I think it could work. If you recall, I said we're more complex here, but we have to work on basically the same thing. An armed services committee—we wouldn't have that in the State. That would be somewhat different, and it would be a different committee. I think the more you can combine to limit the committees, we'll be better off for it.

I think you have to be a little bit careful, and this structure has to be carefully thought out as it relates to the committees and what jurisdiction you do give them.

There are an awful lot of thoughts. We had a fellow that was in the legislature that carried around—we have 120 counties in my State—he always carried around a bill that would reduce the counties by 50. He never did introduce it, but he scared the heck out of every county judge in the State.

[Laughter.]

Senator FORD. I think we need to have that reduction, but I don't think we need to frighten all of our Chairmen and all of our committees that they're going to lose jurisdiction or they're going to lose authority, and that does create some problems for them here, but anything you can do as it relates to bringing it together—where those that are thoughtful have been on the committee, they understand it, it's their jurisdiction—it would be very helpful.

Senator KASSEBAUM. Thank you very much.

Chairman HAMILTON. Mr. Walker, Senator Lugar?

Mr. WALKER. Mr. Chairman, and Senator Ford, from your experience as a Democratic leader in the Senate, give the committee some advice if you will on how the plan that we may come forward with might have leadership—obviously, it will have leadership from within this committee, and we will be advocates for our plan, but I just witnessed with the budget debate we've just been undergoing in the country and in the Senate and the House, clearly, the impetus for that came from the President of the United States, from people that were working with the Congress, but nevertheless, the President himself felt very strongly about this.

It's not clear to me within the dynamics of what we're about to do, and it may be equally as controversial as the budget that we've just been discussing, who furnishes that kind of leadership. It might be the majority and minority leaders who are ex-official or maybe actual Members of this Committee. Maybe they take up the role with the President of the United States that they're convinced that what we're doing is sound.

I would agree with you that the controversies are likely to lead to a lot of scar tissue for the Members of the Committee, but having undergone that, it's not clear where the impetus is that drives this process on to conclusion, and I wanted you to think aloud with us as somebody—

Senator FORD. It's always dangerous for me to think aloud, Senator, but I'm more than willing to do that. I believe as strongly as I possibly can that the decision is for the Congress to make. It is ours to run, it is ours to share the burden of responsibility, and it's ours to share mistakes or accept an accolade every once in a while, but I think that this is one for us to share.

I would hope that the President, Vice President or whoever—the Vice President is a part of the Senate—that they would applaud what we're trying to do here. I don't know that the organization of the House or the Senate would worry the White House too much if it was able to carry out the functions that are necessary to operate the government as a legislative process, so I would say that the responsibility is ours, and I would be very possessive, personally, of putting it together and saying it's ours to do.

I would hope that the President or the Vice President or whoever would be assigned from there would be helpful to us in accomplishing our goal. I wouldn't want them just to write the fine print, however.

Mr. WALKER. Well, I would agree with that, but then this leaves the next situation—that is, minus the President or the Vice President to have their own work in the executive branch. What will be required to make certain that the majority leader, the minority leader, speaker, and what have you, take on that leadership, or is this Committee working against the field? In other words, I'm not certain how we get to a point where somebody drives this process—

Senator FORD. I made a statement some 3 years ago that the spokesman for the Democratic party in the State Senate would be the majority leader, so I'm not here speaking for him and I'm not trying—but my guess is that he would applaud what we're trying to do here—the 200 A's and the 100 B's. I think he would applaud. I think he would be helpful.

Now, Senator, I say this with all respect—and might use the word, to say it “lovingly”—that we could not have a vote in the Senate as we had on the budget. If you're Republican, you vote against it, you're Democratic, you voted for it. Whatever you can pick off from ours, that was well and good, and whatever we can pick off from yours, well and good, but this has to be a cooperative venture between the majority and the minority, and we can't, just because we're Republicans, vote against it, and Democrats vote for it or vice versa.

That is the key, in my opinion, of putting something together that will be acceptable, that will be meaningful, and we can look back on that we left a legacy of improvement. I just kind of throw that up as a—

Mr. WALKER. Well, I agree with that comment, too, and I have taken advantage of your presence here as a leader—not as a part of, but as a leader in the Senate, underlying, I think, the wisdom of what you say.

We finally have to have the leadership on both sides of the aisle really firmly committed to the process because there will be many Members of the House and the Senate who will feel very uncomfortable about the suggestions and may feel that they are losing status, and we'll have to be convincing that that is either not the case or that, in fact, things are going to be better for them, too.

Senator FORD. Mr. Walker, you have on your side—and I apologize for taking too long—but you go down by seniority for picking committees, so No. 1 senior gets his pick, No. 2 gets her pick, No. 3 gets his, and No. 4 gets hers, and down the line. Some use that procedure to eliminate an individual on another committee who's been there. We don't do that. If you're on the committee, you stay, and we build up seniority on the committee. You could have seniority, and somebody could replace you and you go over and your seniority is zip—you're the low man on the totem pole.

It might be of interest if you would talk to your group and say, “Here's what we want to do”—you know, I don't know that you want to change your procedure, but it certainly shifts around under the present procedure to move on one of these committees

that might be meaningful or you would stop somebody from taking the ranking membership, though this could alter both our thinking as it relates to the assignment to committees.

Mr. WALKER. Thank you very much.

Chairman HAMILTON. Senator Lugar?

Senator LUGAR. Mr. Chairman, Mr. Ford, I simply want to say that the idea of a 2-year budget cycle seems like an idea whose time came a long time ago, and I can't understand, given the experience of Members of the House and Senate going back annually through this ritual, why it simply hasn't forced itself upon this body.

I want to say that I very much think that that's an idea that this Committee should consider, and I am not troubled by supplementals. In that case, there would be a good reason for a supplemental. In that case, there would be supplementals, it seems to me, that come largely because of unforeseeable consequences.

That's not always the case today—sometimes it is the case today, but in a real world where there are real people, that's how the world is supposed to run, and I don't think it is any argument against doing what you can do on a 2-year basis, and indeed planning better than we do now. We certainly can do that only if we have a longer time frame.

I want to thank you very much for your testimony.

Senator FORD. I might say to you that anybody who wants to keep it the way it is—it's a little bit like when I first came to the Senate—that those freshmen were having somewhat of a problem getting what they thought they should have, particularly those that have been in the House, and came over to the Senate and their seniority was not too high.

Frank Church, at that time—bless his heart—got up and said when he first came to the Senate, he felt the same way they did, but after he'd been there 18 years, he thought the seniority system was very good.

[Laughter.]

Senator FORD. So that's what we find here, that the seniority system—they want to keep it that way, and we're going to have to break that cycle in some respects as it relates to the committee structure—not necessarily those that are on the committees—so there will be some of that, I think.

Senator LUGAR. Thank you, Mr. Ford.

Chairman HAMILTON. I want to advise Members of the House that a vote is pending on the journal.

Mr. EMERSON?

Mr. EMERSON. Thank you, Mr. Chairman. Senator, as a long time advocate of what you've proposed here this morning, I'm looking forward to vigorously pursuing and working with you in the process.

You know, it occurs to me that because of the unpredictability that currently exists in the budget process, we miss targets and deadlines, and the uncertainty that we actually have, Congress is responsible for an adverse impact on the economy, because of the lack of predictability about what we're going to do and when.

Senator FORD. Absolutely, Mr. Emerson.

Mr. EMERSON. I think we need to inject more predictability into the system and into the process, and I strongly agree with you that we need to spend a lot more time exercising our oversight function.

You know, I think we should spend half our time, at least, on oversight as opposed to legislating and holding hearings about what we're yet going to lay on the American public. I think one of our roles should be to try to make work better that we already have, and I think that your proposal helps get us there.

Senator FORD. Your mighty nice, Mr. Emerson, and I look forward to your enthusiastic help and support in this. I don't want to get the nomenclature squeezed down, I think once we agree to the concept, then we can work out the procedural aspects of it.

Once we make those hard political decisions and get those behind us, then we have time to spend to do those things that you and I know we can do if we have the time to do it. We make work here, and we ought to reduce work to give us the opportunity to match our ability with those that are out there running agencies—be sure they're run properly, and your constituents and mine receive every dime out of their tax dollar that we can see they receive.

Mr. EMERSON. Thank you very much.

Senator FORD. Thank you, Mr. Emerson.

Mr. EMERSON. Thank you, Mr. Chairman.

Chairman BOREN [presiding]. Thank you very much, Mr. Emerson. As it's been announced, there's a vote in the House, and the House Members of the Committee have departed to cast their vote.

Also, our next witness is coming from the House, or involved in the vote. We're going to have two panels of freshmen Members of the House, and then we will have a testimony by three freshmen Members of the Senate.

Senator Ford, just as you're leaving, do you have any suggestion for us—do you have any ball park figure as to how much—if we, indeed, have three intercommittees and subcommittees now—after the Monroney reorganization in 1947, we had 38 standing committees with parallel jurisdictions, so roughly 19 in each House. At that time, subcommittees and the special committees were almost unheard of.

There are very few subcommittees. Obviously, when you get into something like appropriations, there have to be subcommittees.

When I chaired the Intelligence Committee, we did away with all subcommittees, and we found that by scheduling our hearings and touching on the subject matter areas of interest, that we had plenty of work if the full committee covered it as it should, and that it was even hard to get attendance at full committee meetings, let alone try to have a lot of separate subcommittees, so we just did away with the subcommittees.

Several other committees on which I serve, the subcommittees are not very functional sometimes, except to have a staff Member or two and an occasional hearing, but we would have probably done better without about half of them, and we would have been able to then set the agenda—the real priorities for the full committee. They've handled a lot of it in the full committee, and sometimes you're redoing the work.

Do you have any idea or any ball park sense of where we ought to try to go? If we total up the total number of subcommittees and

the total number of committees and try to do what you said, parallel jurisdiction between the two Houses, that certainly would be a tremendous help from the beginning.

We've thought about if we do indeed try to reduce the number of subcommittees, doing it one of two ways—one, either for this panel to try to come out with a proposal defining which committees and subcommittees would be kept and which would be eliminated, but another way of doing it might be, once you've sorted out the full committees and their parallel jurisdiction—as much as we can get the jurisdiction parallel—with certain exceptions like the Appropriations Committee, you might just say that no other committee can have more than two subcommittees or three subcommittees, or something like that, and then leave it to the judgment of the leadership of that committee—both the Chairman and the ranking Members sitting down with the Members of the committee to determine, within the boundaries of a total number of subcommittees they'd be allocated, how to define the jurisdiction of those subcommittees and how many they indeed need, rather than have this Committee define it by number.

Senator FORD. Mr. Chairman, I think, as you've said, you're going to have fewer subcommittees if we have the 200 and 100 size.

Chairman BOREN. That's right.

Senator FORD. So I think that's a given. You've already reduced it—

Chairman BOREN. De-populate certain subcommittees.

Senator FORD. Right. Then you would have to consider that Appropriation should have 13 subcommittees because that is the guts of what we do here, if I can use that term.

I was on a committee where one of my colleagues—one of our colleagues—was on four A committees, grandfathered in. He would send a message to the committee—"I don't want you to vote on this until I can get there," but he never could get there, you know, because he was always off on something else that was more important to him, in his judgment, but we were sitting there and he was objecting to us voting because he couldn't get there.

Well, he was on four A committees—"I don't have any B committees"—so it just jeopardized the orderly flow and the ability to make decisions on the committee. I think each committee chairman should be given the responsibility to cover his area—Energy, on which I serve, Research and Development, things of that nature.

We need to have those subcommittees, and I think the chairman—the subcommittees are not going to proliferate if we reduce the number of A committees. They're going to be reduced overall, but each committee will have to function.

You have to remember, when I came, I got my number one choice and then they gave me—they, being the Steering Committee—a committee they wanted to fill. That was Space. I didn't know anything about it. I only read a funny book called "Buck Rogers," you know?

[Laughter.]

Senator FORD. So it got a little tough, but in 2 years I was to be Chairman of that committee—52 employees and all that—and because you had all chairman or ranking on the Space Committee—

Chairman BOREN. Right.

Senator FORD. Well, I went before the Rules Committee, at that time with Adlai Stevenson, and testified that the Committee ought to go to the Commerce Committee, and now it's functioning very well within the auspices of the Commerce Committee—commerce, science and transportation.

Chairman BOREN. Right.

Senator FORD. So I think we're on the right track. It just depends on how much vacuum we have there to pull other people along, how many are going to object, and what we might do to eliminate the objection they might have.

Chairman BOREN. We might limit the number of subcommittees people can serve on as well, as well as the number of A and B committees.

Senator FORD. Well, normally in a committee, you can only serve on one. On the Senate side you have one subcommittee—maybe as chairman you could serve on a couple of others. I'm on Communications, and Aviation, and the Commerce Committee, so I think it can work.

I wouldn't squeeze too hard. I think you have to give the chairmen some leverage or some opportunity to make some decisions for their own committees. I wouldn't squeeze them down too hard, that might be your next move. That's a political judgment, not a—

Chairman BOREN. Right. Would you think the best way, if we were—and of course, scheduling would be a lot easier, too. If you had Members serving on—and you could categorize the committees A1, A2, and B. All A1s would meet on a certain day, A2s, and so on.

You wouldn't be having any committee meetings then, and subcommittees meeting only on the—

Senator FORD. They'd overlap. This is absolutely necessary.

Chairman BOREN. They all—given the full committees, wouldn't have any overlap, and that way there would be no excuse for Members not being able to be there. They wouldn't have other committee meetings.

Senator FORD. And there are committees that you want to hear and go to and things that are very important to you, and you wind up with everything moving the wrong direction and everything happening at the same time. You find that here in this Committee—trying to put it together over—

Chairman BOREN. Right. What I would—but you would think if we let the committee Chair—if we're going to reduce subcommittees, let the committee chairmen—give them a target number and let the committee chairmen decide.

Senator FORD. I'd give a target number, I wouldn't squeeze them too tight.

Chairman BOREN. Right. Then let them decide how to define the jurisdiction of those subcommittees and so on.

Senator FORD. If you reduce the number of committees, you're going to reduce the number of subcommittees automatically.

Chairman BOREN. Right.

Senator FORD. You're going to reduce the cost of operation.

Chairman BOREN. Right.

Senator FORD. You're going to—everything will be reduced accordingly, and then let the chairman operate his committee as he see best.

Chairman BOREN. Right. Thank you very much. We appreciate you taking the time to come and be with us.

Wait a minute. I think Vice Chairman Dreier has not had a chance to ask his questions.

Mr. DREIER. Thank you very much.

Senator FORD. Since I've come from Kentucky, I haven't had a cigarette for half an hour.

[Laughter.]

Mr. DREIER. We'll give you an opportunity in just a moment, Senator.

Senator FORD. No, I'm just teasing.

Mr. DREIER. I just wanted to say that the pain of serving on this Committee started with Senator Boren saying that after we came out with a package that we would be dining alone, and our colleagues wouldn't join us in our respective dining rooms, and my only question to you, Senator Ford, is if the hide is torn off, how long will it take for it to grow back?

[Laughter.]

Senator FORD. Well, it depends on how long you want to continue to irritate it.

[Laughter.]

Mr. DREIER. Thank you very much.

Chairman HAMILTON [presiding]. OK, Senator Ford, thank you very much.

Senator FORD. Thank you, Mr. Chairman.

Chairman HAMILTON. We're delighted to have you.

Senator FORD. It's my pleasure.

Chairman HAMILTON. All right, sir.

Let's see, the next panel is of two freshmen representatives, Representatives Eric Fingerhut and Karen Shepherd. They're here for the purpose of discussing the House Democratic Freshman Task Force on Reform and their recommendations, and they will be followed by two representatives of the House Republican group.

Chairman HAMILTON. Representatives Fingerhut and Shepherd, we're very, very pleased to have you. Thank you for joining us this morning, and you may proceed as you choose. Who's up first?

Ms. SHEPHERD. I'll be up first, Mr. Chairman.

Chairman HAMILTON. Congresswoman Shepherd, all right.

STATEMENT OF HON. KAREN SHEPHERD, A U.S. REPRESENTATIVE FROM THE STATE OF UTAH

Ms. SHEPHERD. Thank you very much for inviting us, Chairman Hamilton, Chairman Boren, Chairman Domenici, Vice Chairman Dreier, and Members of the Joint Committee on the Organization of Congress. We appear before you with the fruit of 2 months of hard work, a comprehensive set of far-reaching and ambitious proposals comprising the Freshmen Democratic Reform Package.

When we came before you last February, we described the wide range of topics that the Freshman Task Force on Reform planned to consider. Over the past 2 months, the four subgroups of our task

force looked at literally hundreds of reform ideas, some old and some brand new. After extensive consultation with virtually all of our Democratic freshmen colleagues, we developed and subsequently ratified what we feel is a thoughtful package that touches on many important issues relating to the effectiveness, responsiveness and organization of Congress.

At this point, Mr. Chairman, I respectfully request that a full text of our reform package appear in the record of this hearing.

Chairman HAMILTON. That objection, so ordered.

Ms. SHEPHERD. Our reform package includes 26 specific proposals which fall under four broad categories: campaign finance reform, limiting the role and influence of lobbyists, financial responsibility and Congressional ethics, and effective and efficient government.

In developing these categories, we sought to renew the spirit of representative government in Congress. Specifically, we wanted to reduce the influence of lobbyists and special interest groups to make government more cost effective and efficient, and to eliminate special privileges that create barriers between Members of Congress and their constituents.

Campaign finance reform and lobbying reform are two lynch pins of genuine Congressional reform, and they are the essence of our reform proposal. In fact, our package calls for immediate action on campaign finance reform. Voluntary overall spending limits are needed to cap runaway campaign costs and alternative resources, such as communications vouchers are needed as incentives to get candidates to agree on limits.

We strongly endorse President Clinton's call to eliminate the tax deduction for lobbying expenses and recommend the use of these revenues as a funding source for campaign finance reform. Political action committees need to be limited in the overall contributions they can make to a campaign, and we need tough guidelines on independent expenditures.

Finally, our campaign finance reform initiative includes tight new restrictions on soft money. In both campaigns and in the halls of Congress, the role of special interest money has undermined representative government. Well-healed financial interests exert an undue influence on the Democratic process, and tough new restrictions are necessary.

In the interests of fairness and full disclosure, we strongly support legislation that will close numerous registration loopholes. In addition to these new registration requirement however, we also support efforts to force itemized disclosure of lobbying expenses.

I'll stop my remarks there and turn this mike over to Mr. Fingerhut.

[The prepared statement of Ms. Shepherd is printed in the Appendix.]

Chairman HAMILTON. Mr. Fingerhut?

**STATEMENT OF HON. ERIC D. FINGERHUT, A U.S.
REPRESENTATIVE FROM THE STATE OF OHIO**

Mr. FINGERHUT. Thank you, Congresswoman Shepherd and Chairman—both Chairman and Vice Chairman. In addition to the recognitions that Congresswoman Shepherd made, let me also say

that it is particularly a pleasure to be before our freshman colleague, Ms. Dunn, who I know has worked so hard to try and build a consensus on her side of the aisle, and as we have said consistently throughout our process, we felt it important that each of the caucuses within this extraordinary freshman class each develop a consensus among their Members because, as you well know, developing such consensus is such hard work, but then work together on those areas where we have common agreement.

I think there are such areas. There's obviously, also areas of disagreement, but we look forward to now entering into that stage of the freshman class process with Ms. Dunn, and applaud her hard work on her side of the aisle.

Several institutional reforms are needed if the Congress is to do a more effective and efficient job of legislating. Simply put, in our view, the Congress does not work as well as it should, and part of the problem is the way it operates.

We strongly support the work of this Committee to establish more rational standards for committees in order to reduce multiple committee referrals and to divide the Congress's work more evenly, and I call your attention to Page 8 of our report which specifically references you, so you know that it's there, and it specifically urges the Members of this Committee to be bold and straight forward in your recommendations on the subject of committee jurisdictions.

In the event of the elimination of any committees or subcommittees, we ask that you also consider that the subject matter which the committee that is lost has dealt with is not lost in that reorganization.

To assure that chairpeople of committees are appropriately responsive to the caucus, we ask that acting committee and subcommittee Chairs should be subject to confirmation as well, as are the permanent committee and subcommittee Chairs.

Mr. Chairman, many aspects of the current seniority system invite inspection and we, in fact, inspected many aspects. The 103d Congress is the most diverse in history. We hope that our leaders will reflect this diversity. Therefore, we propose that the Steering and Policy Committee be directed to make recommendations for committee Chairs that represent the diversity of the caucus and give Members wide-ranging choices for committee and subcommittee Chairs.

In this age of unprecedented budget deficits, the Congress must take extraordinary action aimed at reducing its own spending, both as a contribution towards the total deficit reduction program and also as a method of winning the confidence of the American people. We have recommended what we're told is the most far-reaching of such budget reductions.

We propose reducing the legislative branch spending by 25 percent over 5 years. We believe that this dramatic reduction can be accomplished by streamlining the structure of Congress while preserving essential constituent services.

Mr. Chairman, there's more to our report and we invite full scrutiny of our efforts, but we ask our supporters and critics alike to use the same standards we applied in designing this package of reforms. First, do the proposals strengthen the faith of the people in their government? Second, do they make the institution more re-

sponsive to average Americans and less so to special interests? And third, do they make the Congress a more effective policy-making body and a more efficient tool to implement the public's will?

We think the answer to all of these questions is yes, and we look forward to working with you and the Committee over the coming months to bring about these and other much needed reforms.

[The prepared statement of Mr. Fingerhut is printed in the Appendix.]

Chairman HAMILTON. Thank you very much, Mr. Fingerhut. We'll begin with questions, Mr. Allard.

Mr. ALLARD. Thank you very much, Mr. Chairman. I was hoping maybe you could come up with some more specific recommendations, and what I got in your comments here in this Committee, you are a new class and I think that you have a lot, and having just been elected, I think that you can certainly bring in a fresh perspective into the Congress.

I want to ask you a couple of questions on the committee system that we've been wrestling with on this Committee, and would like to have your input as new Members. Do you favor term limits on chairmen of committees—your class?

Mr. FINGERHUT. Mr. Allard, the answer is no. There are certain Members of the class who do favor term limits on Chairs, but the consensus of the class, which was the essence of this report, was that that was not the way to go about it.

There is, however, in this report a very strong recommendation with respect to the method of selecting committee Chairs. I call your attention to Page 8, Recommendation I, which directs that the criteria for the selection of committee Chairs be the following criteria: merit, first and foremost, length of service on the committee is an appropriate consideration, diversity of the caucus, and commitment, we said, to the Democratic agenda, but that should appropriately be read as to the majority agenda when making nominations for committee Chairs.

Our feeling is that through this method, we can get the appropriate mix of criteria, but not disqualify a Chair who is doing a good job and meets those criteria and desires to serve, and the Members desire to have that service.

Mr. ALLARD. Well, in response, you know, in your testimony you expressed concern about the seniority system, and then I see in your recommendations that you list the length of service as one of the qualifications of being on the Chair.

It seems to me like merit and your commitment should be basically the basis for being the chairman—ability to get the job done, so I wonder if there isn't a contradiction there.

Ms. SHEPHERD. Let me just address that for one second, and then Eric, please finish. The division on that had to do a lot with a certain adversity to de-stabilizing the institution in a fundamental way and penalizing people who put in their time here year after year after year, and the belief of many Members of our caucus, particularly the minority caucus, without being in line, literally, they might not have the opportunity to ever hold these offices.

This was a fundamental disagreement that occurred within our body and something which we had a lot of respect for because you can look around you and see that there is no faith of Americans

reflected in the committee chairmanship of this body, so that was something we respected, and that was the essence of the division.

We see seniority as an important part of this. We do not want to blow that apart entirely, but we would like to have other things considered very much as well.

Mr. FINGERHUT. I just was going to add very briefly— Ms. Shepherd did, I think, give the complete answer, but on your question as to, is there a contradiction, we should be very clear—I think the answer is no, that we believe it is a factor, an appropriate consideration, but that it should not be the principle consideration, which is what it has been over the time to date.

Mr. ALLARD. Well, it seems to me though, that if we want to change, you know, the way Congress does business, that we have to be willing to shake the tree a little bit and also— you know, I was hoping that perhaps the new 110 Members of Congress that are coming in would be willing to shake the trunk real good and hard because I think that we need to do that in order to get some very important and needed change that needs to occur in this institution.

I happen to feel that we can look at the State legislatures throughout this country, and I think they set a pretty good example of the way things can be done—balance budget amendment and line item veto, and the type of accountability that goes with that, as an example, but there's a lot of other examples that we can point to, to the legislature.

I have just one other question if I could just throw it in on that last point. I served in the Ohio Senate, and we did not have term limits on Chairs and it wasn't a major factor.

Also, Ms. Shepherd and I were described by one of our colleagues as having come in with machine guns and blasting away, so I think the definition of what is shaking the tree depends on one's perspective. There's quite a bit in here that would meet that definition from quite a large percentage of our colleagues in this body.

Mr. FINGERHUT. I serve in the State of Colorado—the Colorado General Assembly—and it leads the country, I think, in legislative reform, and we've shaken the tree real hard. In fact, with the Rules Committee and the House of Representatives in the Colorado State House, we've gone that far. Nobody's mentioned that here, but that gives you an idea how progressive that legislative body is.

I do just have one question about proxy voting. Do you think that we should do away with proxy voting?

Ms. SHEPHERD. I could only give you a personal response. It wasn't an issue that the class explored at length and it wasn't ever in our reform package, and my personal response was until we do something about the schedule, it is impossible to do away with proxy voting.

Mr. ALLARD. Thank you, Mr. Chairman. I appreciate your time.

Chairman HAMILTON. Ms. Dunn?

Ms. DUNN. Thank you very much, Mr. Chairman, and welcome. I just have to say that I think that this is an extraordinary situation where we have the largest freshman class—110 Members—in 44 years, and we have today testifying before us, at least two panels of people who have come up with some pretty good suggestions, I think, and my interest, as we move forward with your ideas and

the ideas of the next panel, is to try to find areas of common interest.

You have brought up some areas where I think that you could probably agree with the testimony that we have seen in advance of the next panel. I had a question on proxy voting, too. You have discussed in your presentation that Members of committees at hearings be recognized in order of their appearance at hearings, and I agree with that. I think that's a fine recommendation.

Our Chairmen of this Committee have acted on that recommendation and I think that that's very important. My question relates to what Wayne just asked you, and that is on proxy voting. It seems to me that one way to encourage Members' attendance at meetings and perhaps cut down on the number of committees people belong to—maybe sometimes for letterhead purposes—which they're not able to attend, but their names are brought up in proxies at the voting time, I think might be a very good pressure point, and I would just recommend that you take that idea back to your Democrat freshman caucus and talk a little bit more about it.

I think it could be one of those points that, where not useful in and by itself, might affect a lot of the way we do business, and might have some extensions.

Let me ask you, too, we have terribly difficult schedules here in the Congress. I think the freshmen are more aware of this than anybody else. You have not addressed any kind of program for expanding our work week, for example. I'm wondering, in your discussions, if 1-week on, back in our district, and 3-weeks off, being back here doing the people's business in Congress ever came to a discussion in your caucus.

Ms. SHEPHERD. It came to a long and labored discussion and it was the single thing that the freshmen were uniformly enraged about, and it was something that no three people could come to any agreement about any solution on, so it was one of the most frustrating parts of a long, eight-hour debate.

Mr. FINGERHUT. If I could comment briefly, Ms. Dunn—first of all, on the proxy voting, it's really a chicken and an egg problem. You've got to address the conflicting committees' schedules and the number and jurisdictional overlaps of the committees in order to allow us to be one place—stay, think, participate in the full process with legislation, and to be able to vote.

At present, it is—I understand your argument that you might assert some pressure in that way, but the other side of the coin is that you take people who have two committees meeting simultaneously, both on which they have substantial interest and substantial knowledge, and remove them from that, so it's really a chicken and an egg thing, but I think we agree on the goal and we just need to agree on how to get there.

On the scheduling point, I would only add one comment. It was, as Congresswoman Shepherd said, the number one source of frustration, and we resolved it by believing that it's really the work of this Committee, with respect to committee size and the number of them and the jurisdiction of them, that are at the root of the problem, because one comment that I heard repeatedly on the 5-day week and 3-weeks on, 3-weeks off was, "I'm happy to be here for 5 days, I just don't want them to be 5 ridiculous days like the 3 ridic-

ulous days I have now. If we're going from 3 inefficient, unproductive days to 5 inefficient, unproductive days, count me out," so a lot of people said, "Let's first fix what's really at the root of it and then we can talk about what days we schedule them."

Ms. DUNN. Thank you. One question, Mr. Chairman, if I may—I'd like you both to address the possibilities of overlap in the issues that you discussed and agreed on in your caucus, and what you understand to be the same situation on the Republican side.

Ms. SHEPHERD. You mean overlapping committee jurisdictions?

Ms. DUNN. Where you might be able to bring 110 votes to the floor to support a common goal.

Ms. SHEPHERD. Oh, overlap—all right, between the two of us. There was agreement on cutting the legislative branch budget. We said it in different ways, and your caucus will have to decide how they feel about that.

We suggested cutting the legislative branch budget 25 percent. You were talking about the committee budget 25 percent, but there is, I think, agreement that that budget needs to be looked at very, very seriously and made much more efficient, and much less bloated.

There was agreement on—what? Eric, help me. All of a sudden, I'm forgetting.

Mr. FINGERHUT. Well, I think that the important issue which we've discussed now in response to a number of questions on committee jurisdictions and their relevance—you made, for example, specific suggestion with respect to the Appropriations Committee.

We weren't prepared to say that, you know, any single committee is the root of the problem, but that evening out the work of the Congress is an important issue, and I think we find, again, a very common agreement there on the goal, though maybe some specifics and our details on suggestions—and there was also what I—

Ms. SHEPHERD. Making the laws of Congress apply in the same way as they apply to businesses and regular people in the country, I think, is an essential area of agreement—stated almost precisely in the same way.

Mr. FINGERHUT. There's also been a number of bipartisan efforts, as you know, on the subject of what some people might call perks, but just inappropriate use of resources—the furniture question, who gets to buy—what departing Members get to buy as a matter of course when they leave is not the greatest issue to ever come before the Congress, but it's something that our Members, as you know, have worked together on, on a bipartisan basis with legislation.

Ms. DUNN. Thank you, Mr. Chairman.

Chairman HAMILTON. Senator Boren?

Chairman BOREN. Thank you, Mr. Chairman. Just briefly—I won't ask a question, except to say that I'm elated to hear the comments that you've made and that you've brought to us from the freshmen Members.

As the author on the Senate side of campaign finance reform now for more than 10 years, it gives me great hope to hear the emphasis placed upon the need for reform of the way we finance campaigns in the country, in terms of stopping the spending, reducing the—or lowering the spending, reducing the influence of special in-

terest groups and the other things that you've highlighted, and I'm very optimistic.

I think we'll be hearing a proposal from the White House soon, probably during the Congressional Easter recess, on this matter, and it's our hope to begin work on that—and the Senate—very soon when we come back, so you really do give me reason for optimism.

I'm also glad to hear you talk about lobby reform, both in terms of closing loopholes and in terms of registration. Did you also address the revolving door problem, in terms of lobbying?

Mr. FINGERHUT. Senator, I'm embarrassed to admit that we didn't. It was raised—as you well know, in dealing with the media over the years, they find first the thing you didn't do, instead of what you did do—

[Laughter.]

Mr. FINGERHUT. And it was immediately raised yesterday with us. Mr. Bacchus and others in the House who have addressed it actually came to me—frankly, a little bit too late to include it in our deliberations, but I suspect that the same sentiment that's reflected in these recommendations would apply to those issues as well.

Chairman BOREN. Well, I hope that's something that might be looked into, and again, I find from talking to, particularly, freshmen colleagues in the House in both parties, that there's a strong desire to do something about lobby reform, both as to registration and as to the problem of the revolving door, which is a problem not only with the executive branch, but with Congress and the Congressional staff as well.

If we're really talking about changing the climate, the Congressional campaign reform and lobby reform are very important elements in doing that.

I also want to thank you for highlighting the need to reduce the number of committees and rationalize committee jurisdiction which is now overlapping, and I'm convinced that if we'll do that, it will not only make us more efficient—stop the splintering of our time, which you've discussed in terms of scheduling, and also enable us to have some reductions of expenses for Congress as well.

We should have some staff savings and other savings as we bring these functional areas together in a more meaningful way, so I simply want to thank you both for the message that you bring from the freshmen Members, and just urge you to continue the enthusiasm that you now have.

We will be—as we've said, we're serious about our work in this Committee. We fully expect to present to both Houses some very meaningful reforms. It's always hard to change the status quo, and I think that the support of the freshmen Members in both parties will be absolutely crucial to our ability to succeed, so I'm glad to see you speaking out.

It made my morning when I picked up the newspapers to see what you were saying. I think you're right on target in the vast majority of your recommendations, and all I can say is we look forward and we invite your input.

We have freshmen Members on this Committee, as has already been noted by Chairman Hamilton, but we want your input in this process as we go forward, and we would appeal to you for your con-

tinued enthusiastic and outspoken support for the kind of reforms that we need, so Chairman Hamilton, I just want to thank the panel and encourage them and say that I think you're doing a service to the Congress and a service to the country by speaking out on these issues, and to those of us—and I count all of those up here at the table. Obviously, the Members of this Committee have cared about reform or they would not have asked their leadership to have had an opportunity to serve here. You give us a real shot in the arm and a real feeling that we have a strong chance for success, so I thank you for what you've said.

Chairman HAMILTON. Vice Chairman Dreier?

Mr. DREIER. Thank you very much, Mr. Chairman. Let me join in congratulating you. You know, you went through, as you've just briefly mentioned, an 8-hour process and we've all heard the many reports that came from the meeting that you all had, and both of you are to be congratulated for taking on this task and coming up with many very good recommendations.

As I look, specifically, at your proposal to increase the efficiency of government as you go through item by item in your summary, there are some issues that haven't really been addressed by this Committee so far, which I think are very worthwhile.

One of them that comes to mind immediately is the prospect of having committee chairmen and ranking Members required to engage in a colloquy on the floor of Congress, so that non-committee Members will have an opportunity to question on an issue, and I do, as a Member of the Rules Committee, appreciate your sensitivity to the concern on the issue of closed and modified rules in stating that we should at least extend general debate during that time when there are closed rules, so the Members will have a greater opportunity to participate.

Of course, I would be remiss if I didn't make the case, of course, for open rules, and having spoken with both of you individually, I know that you're sympathetic with the fact that freshmen Democrats have been prevented from having the opportunity to participate in the process, just as Republicans, so this is something that I hope we can address and I hope we won't have to extend the general debate time and, in fact, will have enough opportunities for people to participate, but I do appreciate the fact that the 63 freshmen Democrats are sensitive to that issue.

When this question came before us—the resolution which actually established this Committee came before our Rules Committee, we had at that point—this was last year—many freshmen who decided that they wanted to testify on the issue—when Messrs. Gradyson and Hamilton came before us—and at that time, I chose to ask every freshmen, and I'm going to pose the same question to you—one of the big issues that we deal with is the fact that there are 270-300 committees and subcommittees, and we're talking about a reduction.

Jennifer referred a few minutes ago to this question of proxy voting, and you talked, Eric, about the fact that we had this crazy schedule during this 3-day period. Well, the natural question is are we going to, in fact, decrease the number of committees and the number of committees on which Members can serve, which would be a byproduct of that?

The question that I posed to all those freshmen then, which I'd like to ask you is would you be willing, as a new Member here, to give up—and I'm not going to ask you which one to give up—a committee or a subcommittee on which you have been serving for the past few months?

Ms. SHEPHERD. I would be willing to give up a subcommittee, personally, but let me say, in general, what the sentiment was, because this was discussed at length. The tension is between many of the things that you already suggested which close freshmen out from participation, and that drives their desire to do more things, so they look on one hand—and I guess, I'm a good example of this.

I know a lot about health care. That's what I worked on in my legislature. I campaigned on it, and I wanted to come here and work on health care.

I don't have a committee where I can work on health care, so I'm closed out of that and that drives an ambition to find other ways to get into health care and other things to do, and I think we're all kind of stuck with that tension, and I'm not—I haven't come to any firm conclusion in my own mind about what the best compromise would be to solve that, but I do understand the tension.

I'd give up a committee just because I'm spread too thin and I'm doing too much, and it's very hard to do a good job at it and it's very hard, until we do something about the schedule, to have two or three committees scheduled at the same time. My mother taught me you have to be there, you know, and—

Mr. DREIER. How many committees and subcommittees are you on now?

Ms. SHEPHERD. I'm on five.

Mr. DREIER. Five?

Ms. SHEPHERD. Five subs, two—

Mr. DREIER. Two full committees and five subcommittees.

Ms. SHEPHERD. A major and a minor, so seven.

Mr. DREIER. Eric?

Mr. FINGERHUT. You have to understand the personal risk I'm taking in answering this question, since one of my committee Chairs is sitting right next to you.

[Laughter.]

Mr. FINGERHUT. But the answer is, of course, yes. And to amplify Karen's point about the consensus of our class, because obviously, that's why we're here today, I think it's important to note that the focus of the discussion was not on the question of reduce, but rather on a question of rationalize the committee jurisdictions and spread more evenly the substantive jurisdiction of the Congress because the concern, as Karen, I think, so eloquently expressed in talking about health care, is that we all come here because of our interest in public policy, and we have the desire to participate in the substantive making of public policy.

One of the reasons Members feel driven to serve on a wide range of committees is to try and grab a piece of a say on a substantive public policy matter, so if there were a more even spread of the work load, then I think it would be easier for Members to say, "Well, I am engaged, because my committee has a substantive jurisdiction in real matters of public policy making, so I don't need to

be running around like a chicken with my head chopped off, trying to get a little piece of a say in a wide variety of issues.”

Mr. DREIER. Both of you, I'm please to say, have followed the pattern of freshmen Members who have, in testifying before us, said just that—that they would be willing to give up a committee, and I don't want anyone to think you'd be willing to give up the Foreign Affairs Committee at all, Larry.

[Laughter.]

Mr. DREIER. Let me say that a couple of other items that you mention in your summary of recommendations are clearly right on target, and really one of them is a standard rule of the House right now. You request that we insure that there be an amount of time for Members to consider legislation before it's voted upon, and I'm sure you saw the battle that took place just yesterday over this budget question in the conference report.

We have a standard 3-day layover provision, which my committee—the Rules Committee—constantly waives, so again, your sensitivity to that is very important and then the prospect of prohibiting committee meetings at the time that the House is in session, or at least limiting that, again, gets back to this issue of so many committees, so I think that we are in sync on that issue and I look forward to working very closely with you as we formulate a position to rationalize—and I believe, in rationalizing, we will see as a by-product of that, a reduction in the overwhelming number of committees here.

I thank you both for your very important work.

Karen?

Ms. SHEPHERD. I just wanted to add one thing, and I know that you had testimony yesterday about the issues that were covered by the Select Committees, and the concern—the very great concern—that those issues will somehow get lost, now that the Select Committees no longer exist, and although we did not have time as a freshmen class to deal with that, I believe we will in the future, and I'd just like to say personally, since I have the opportunity, that I surely hope that the concerns of hunger and women and children and youth and the health of people who are drug dependent don't get lost—and seniors. I just think it's terribly important that we focus on those issues.

Mr. DREIER. Let me just say, part of the goal that those of us who opposed the Select Committees had was to, in fact, enhance the visibility of them by putting them under the rubric of standing legislative committees where there truly was authority to address those very important issues, and I encourage you on that.

Ms. SHEPHERD. I was on your side on that, and I agree with you 100 percent.

Mr. DREIER. Right. Thank you.

Eric?

Mr. FINGERHUT. If I could add on that point—as was I, with the explicit explanation to my constituents that these need to be part of the central function and not just an additional layer of bureaucracy that can only issue reports.

Mr. DREIER. Exactly. Thank you very much.

Thank you, Mr. Chairman.

Chairman HAMILTON. Thank you very much, to both of you. We want to continue our dialogue with you as we proceed with this reform effort, and we look forward to the opportunity to meet with you and your colleagues in the weeks ahead. We thank you for your contributions this morning, and you're excused.

Ms. SHEPHERD. Thank you.

Mr. FINGERHUT. Thank you, Mr. Chairman.

Chairman HAMILTON. Our next panel will be from the two Representatives, Tillie Fowler and Peter Torkildsen, who are Representatives of the House Republican freshman class and they will present the reform recommendations of that group.

Chairman HAMILTON. We're very pleased to have each of you here and look forward to your testimony, and we thank you for joining us. Does it make any difference to you which begins here?

Ms. Fowler, you may proceed.

STATEMENT OF HON. TILLIE FOWLER, A U.S. REPRESENTATIVE FROM THE STATE OF FLORIDA

Ms. FOWLER. Thank you, Mr. Chairman. I want to thank the Members of the Committee for giving us this opportunity to testify here today about the reform package that's been put forward by our Republican freshman class.

As co-Chairs of the class task force on reform, Representative Torkildsen and I sent out a questionnaire to all of the freshman Republican Members, soliciting their ideas on reform. We compiled all of these responses into a list of about 50 ideas.

After that, our class met several times to discuss and debate the list, and to narrow it down to the package of major reforms that we are submitting to you today. Our reform package of 19 specific items seeks to do three general things.

First, it opens up the Democratic process, giving all 435 Members a greater voice in what we do.

Second, it brings to the institution, something we are very fond of in my home State, sunshine. Some of our items will allow the press and the public access to business that is now kept secret.

Third, it makes Members more accountable for their actions. We seek to eliminate many of the institutional rules designed to protect Members from accountability.

Before I get into the specifics of our proposal, I'd like to take a moment to tell this Committee of my class's commitment to work with Representatives Shepherd and Fingerhut and their class. We think they've done an outstanding job with their reform package, and we look forward to working with them to find areas of mutual agreement that we can work on together.

When the American people sent 110 new Members of Congress to Washington, they expected us to work together as new Members, not as Democrats or Republicans. I think we're missing the whole point of our being here if we do not join forces for change. It's only by working together that we will affect the kind of change that the American people thought they would get by sending 110 new Members to Congress.

To bring about that change, we are proposing the following reform:

Term limits for Members. Fifteen States to date have passed term limits measures. As more and more states enact their own term limits laws, it is time Congress enacted a federal law covering all Members of Congress.

Second, limit committee chairmen and ranking Members to three terms. The Republican conference has already adopted term limits for ranking Members. Committee chairmen should be subject to the same three term limits. This will open up the process for other Members of the Congress.

Reduce the number of committees and subcommittees. Many times, more than one committee has jurisdiction over a single issue, as you were just discussing with our other two freshman Members. Jurisdiction should be streamlined and the number of committees and subcommittees, we feel, should be reduced.

Require a two-thirds vote to bring a closed rule to the floor. Rules that do not allow amendments to bills should be approved by a two-thirds vote of Congress. In the 95th Congress there were 179 open rules. Last Congress, there were only 37, and in this Congress there have been none to date.

Require that all legislation contain a fiscal impact statement on government spending and private sector spending. Members should know in advance how much an initiative will cost taxpayers, both directly and indirectly.

Ban proxy voting in committees and subcommittees. Members are currently allowed to miss committee meetings and have their votes counted by giving their proxy to another Member. This practice should be eliminated.

Prohibit suspension of the rules for any measure costing over \$50 million. Legislation with large costs should be scrutinized carefully, and should be considered with an opportunity for amendments.

Require a three-fifths majority vote for tax increases. When we want to increase the burden on taxpayers, it should require more than just a simple majority.

Require roll call votes on all appropriation and revenue bills. All bills that involve the raising or spending of federal funds should not be passed by voice vote.

Require an annual vote on mandatory budget spending. All programs that spend federal revenue should be reviewed annually and votes should be taken on their re-authorization.

I'd now like to turn the microphone over to Representative Tor-kildsen, who will discuss the other half of our package. Thank you for allowing me to represent my class on this important issue, and I look forward to answering your questions at the end of his presentation.

[The prepared statement of Ms. Fowler is printed in the Appendix.]

STATEMENT OF HON. PETER G. TORKILDSEN, A U.S. REPRESENTATIVE FROM THE COMMONWEALTH OF MASSACHUSETTS

Mr. TORKILDSEN. Thank you, Mr. Chairman, and Members of the Committee. As one of 110 new Members of Congress, and as co-Chair with Congresswoman Fowler of the Republican Task Force

on Congressional Reform, I come before you today to speak on the need for further changes in the way Congress does business.

I commend the creation of this Committee to tackle this important problem, and also appreciate the many meetings you've held to give many of us a chance to bring our ideas to you.

Congress suffers from two very real problems. First, many people throughout the country, still wonder if Congress is working in the general interest and not for a slate of special interests.

Second, as cuts must be made in federal spending, many people believe cuts should start with Congress before they reach various federal programs and/or the wallets and pocketbooks of Americans.

The changes proposed by the freshman Republicans attempt to address both of these problems. I'd now like to give a brief overview of the reforms we propose that were not covered by Congresswoman Fowler.

First, eliminate the Appropriations Committee. Transfer authority to the authorizing committees and make the budget resolution binding. Perhaps, this is our most controversial measure, but we believe it would make the budget process more efficient.

By eliminating the Appropriations Committee, we would give spending authority to the committee charged with the responsibility for having knowledge in a given budget area. Currently, no matter how important the committee finds a project, it may never be funded if the Appropriations Committee doesn't like it.

In addition, the Appropriations Committee can add spending that an authorizing committee specifically refused to add. This is a duplication of authority, can result in additional spending, and is unnecessary.

Make all laws apply to the U.S. Congress. It is unfair that Congress can ask a small business to comply with safety and labor laws, and not have to comply itself. It is time Members of Congress understood the burden they place on employers, by making the laws passed by Congress apply to Congress.

Allow public access to discharge petitions. It is possible for a bill in Congress to receive 434 co-sponsors on the House side, and never come to a vote on the floor of the House. If a chairman of a committee does not want to see action on a bill, then he or she can bury it in committee. The only way to get it out is through a discharge petition, which currently is kept in a locked desk drawer on the floor of the House.

Members can co-sponsor legislation that sounds good, but they can refuse to sign the discharge petition and no one will ever know that they refused to do so. By making the discharge petition public, we can make Members more accountable for their sponsorship of bills and make chairmen more responsive to the will of the entire House.

Another proposal is the line item veto. This is a management tool that President Clinton specifically asked for during the election. Forty-three Governors currently have the power of a line item veto and they use it to eliminate wasteful and unnecessary spending.

Congressional interests are not always national interests and the President can use a line item veto to cut special interest items out

of appropriations, or more importantly, to convince Congress not to add them to begin with.

The balanced budget amendment. The Clinton Administration has stated deficit reduction as a priority, and this amendment will help force Congress to reach this goal. There are several proposals sponsored by both Democrats and Republicans that will require a balanced budget.

Reduce committee budgets by a total of 25 percent. This is an item that's been championed by Congresswoman Dunn, on your panel, and something that I think bears very serious consideration.

Again, we're asking the American people to expect less from their government as we grapple with the deficit, and yet, if we can't start with our own spending, then how can we expect any American to believe that we're really tackling the problem of over-spending when we're not willing to address it in our own accounts.

Reduce franking accounts and require automatic disclosure of monthly franking reports. The average challenger in the last election cycle spent less money than the average incumbent used in franking, and that's a very significant number when you know just how effective the franking privilege is. This is clearly unfair.

Currently, the only reports made public on the franking accounts are the totals found in the quarterly Clerk of the House reports. The monthly statements showing the type of mail sent and the amount sent each day should be readily available to the public, so people will know who uses the frank, when it is used, and how often it is used.

Return to the Treasury all savings from the elimination of Select Committees and unspent Member office funds. The Select Committees were eliminated to save money, and as such, the money should not be spent in other places. Unspent money in Members' offices would also go back to the Treasury as money that was saved, not money that can be spent elsewhere.

Reduce spending on former speakers. The current law provides over \$500,000 every year for former speakers to conclude their business, but none of our current former speakers has ever decided that his business is concluded. This measure would limit the speaker's fund to 3 years upon retirement.

And then finally, campaign finance reform. We do not have a specific set of proposals, but the freshman Republicans know that this is an important issue. We, too, seek to reduce the influence of special interest in our election process, and we are detailing a package now, which we hope to have ready within 4 to 6 weeks.

These changes will not solve every problem, but they are a common sense start to restoring public confidence in the United States Congress. While not everyone may agree with me, I believe Congressional reform is among the most important issues we will debate this Congress, including cutting the deficit to help our economy and reforming our health care system.

I appreciate the opportunity to testify, and look forward to your questions. Thank you.

[The prepared statement of Mr. Torkildsen is printed in the Appendix.]

Chairman HAMILTON. Thank you very much, Mr. Torkildsen. I understand the President of your freshman class is here, Mr.

McKeon. We'd be very happy to have him join us, either here or at the table, as he prefers.

All right. Very good. We're delighted you're here and we thank you for coming. We'll begin the questions with one of your colleagues, Ms. Dunn.

Ms. DUNN. Thank you very much, Mr. Chairman, and welcome to this panel. I want to congratulate you on coming up with some very specific proposals that have resulted, I realize, from the talks that began among the Republican freshman class in early December. I think they're a fine set of proposals.

I want to tell you, too that I offer you my commendation on the way you've managed to hold the freshman class together through several reform votes—your position on the Select Committees, for example, and we certainly do want to provide that the topics covered by the Select Committees are going to be covered eventually by legislative committees, and for that reason, House administration recommended yesterday that the staff for those committees be continued for a month so that they could incorporate the topics of the Select Committees into legislating committees.

I commend you, too on holding your entire class together on the vote to cut committee budgets the other day by 25 percent. I think that that's remarkable and I commend too, the single Democrat freshmen who voted with you. I think it was a very good show of support for what President Clinton has asked us to do, and that's begin our cutting, first in Congress.

I want to ask you on a couple of items—you talked some in your presentation about fairness, and you mentioned the closed rule. I wonder if you could explain to us how the whole issue of fairness is being reflected to the new freshmen, and what the closed rule would do to provide for this.

Mr. TORKILDSEN. Well, the closed rule right now, or the modified closed rule is a means by which a piece of legislation is brought to the House floor. Under a closed rule, no amendment could be offered. Under a modified closed rule, only the amendments that received the approval—the Rules Committee could be brought up and introduced on the floor and debated, and actually have a vote on them.

The problem with the closed rule is it cuts off any Members' ability to represent his or her constituents. It doesn't mean that amendment is going to receive a majority vote, but under the closed or modified closed rule, any Member is shut out of that opportunity, and that shuts off Democrats as well as Republicans.

During the recent debate on President Clinton's package, Democratic Representative Charlie Stenholm of Texas wanted to offer an amendment. His amendment was not approved by the Rules Committee, and therefore, he could not offer it on the House floor, so the closed rule or the modified closed rule really does limit everyone's ability to participate in a Democratic process.

Our reform would just seek to make it a little more difficult to bring a closed rule to the floor. We are proposing that instead of a majority vote to bring a closed rule to the floor, that there would have to be a two-thirds vote.

Now there are, unfortunately, ways that that can be gotten around, but at least that puts the House, and hopefully the Senate,

on record saying that only in rare cases would they bring a closed rule to the floor. And as Congresswoman Fowler pointed out, every major piece of legislation brought to the House so far this year has come under a closed or modified closed rule, so this would just allow Members and opportunity to propose amendments.

It would not, you know, require that they be added in, certainly they'd have to be voted up or down on their merits, but this would just allow every Member to say, "These are important changes I want to bring up in debate," and allow that debate to occur.

Ms. FOWLER. I'd just like to add to that, one of the reasons that we did recommend that, as I noted in my statement, is the disturbing trend over these last years. You know, back in 1977, 85 percent of the bills that came to the floor, came under an open rule.

We're now down to 0 percent this year—I mean, so we've really got to reverse that trend, and we see this as maybe one of the ways to do that. While the freshmen Democrats propose lengthening debate, what's really needed is more open rules.

Ms. DUNN. Thank you. Let me ask you, too, along the lines of cutting budgets and possibly information to constituents, you came up with a reduction in the franking allowance. Could you talk to us for a moment about that? Do you have any percentage in mind? House administration is considering this issue right now, and I think your guidance would be helpful to us.

Mr. TORKILDSEN. Well, we discussed it among the freshman Republicans and we all felt, at an absolute minimum, 10 percent was necessary, but we thought it could go as high as 25 percent.

Right now, the franking allowance—and I believe this is accurate—is based on 2.7 letters per year from a Member of Congress for every constituent household in the District.

That's a substantial amount of mail. It used to be three, so it has been reduced in the past, but even if you reduce it by 25 percent from that amount, you can still allow Members of Congress their ability to answer letters, their ability to let their constituents know about town meetings and the like, without giving an enormous mailing budget to Members of Congress, which again, does create an unfair advantage—especially in election years.

Ms. FOWLER. Well, and again, we think it's equally important to disclose those monthly franking accounts, because if you had to disclose those every month, then it's much easier to keep track of where exactly that money's being spent.

Ms. DUNN. Thank you, Mr. Chairman.

Chairman HAMILTON. Mr. Allard?

Mr. ALLARD. Thank you very much, Mr. Chairman. I would have to compliment the Republican freshman class for coming up with some ideas here that I don't think we've done that much discussion on so far, and it's appropriate that you brought them before this Committee.

Let me give you some examples that I thought, perhaps nobody's mentioned before—at least, I hadn't picked up—allow public access to discharge petitions. I think it's a good idea—let a little sunshine in on the process—and I've been involved where we had discharge petitions before, and it's difficult to know who's all—even though, I might have been the sponsor of that petition, in which case I was,

to know who's all on there, even as a sponsor, was—I wasn't able to find out.

I think that's a good suggestion, and obviously, the franking issue, and talking about eliminating the savings from the Select Committees, so it doesn't go back to the unspent officers' fund—that it actually goes directly into the Treasury to help reduce the deficit, instead of get frittered away within the House bureaucracy.

I also thought that you came up with a good suggestion on reducing the spending on the former speakers, and try to set some limits, and I thought you came up with some very specific and some very meaningful proposals, and I congratulate you on that.

Now campaign finance reform, this Committee decided not to address that because we're talking about the reorganization of Congress, with the understanding that there will be some legislation that will be forthcoming here early in this session to deal with campaign reform.

Have either one of you served in your State legislatures?

Mr. TORKILDSEN. Yes. I served for three terms in the Massachusetts legislature.

Mr. ALLARD. Okay. Good. Let me direct this question to you. The balanced budget amendment and the line item veto are both a part of your package. As a State legislator, I found that it established accountability, and helped a lot in keeping within certain spending parameters and to set priorities. Would you share with this Committee, your experience as a State legislator in having to operate under a line item veto and a balanced budget amendment?

Mr. TORKILDSEN. Yes. I'll share both my experience, and then mention something from one of our freshman Members. The best power of a line item veto and a balanced budget amendment—and the two work very well together—is that you have the executive branch and the Governor responsible for balancing the budget every year.

That allows the Governor, whoever he or she may be and whatever party, to say to the legislature—as happened in Massachusetts—that, you know, “If you add these items, I will veto them,” so the actual vetoes rarely occur, because once the legislature gets the message that the Governor will use his power of a line item veto, they're not added.

That was something that was underscored by a colleague of ours in the freshman Republican class, former Delaware Governor, Mike Castle, who's now a Congressman, and he said, very rarely did he use the line item veto, but he threatened to use it many times, and that was often enough just to get the legislature in Delaware not to add that spending.

We believe that same effect would happen here at the national level—again, the President is a Democrat now, but whether Democrat or Republican, just having that authority to say, “If you add these unnecessary spending items, I will veto them”—that will be a very strong incentive for the Congress not to add spending to begin with, so my experience certainly bears out that a line item veto and balanced budget amendment together work very effectively.

Mr. ALLARD. Thank you for your comment.

Would you like to make any comments on any of those provisions, Ms. Fowler?

Ms. FOWLER. Well, I agree. I served as a municipal official for 7 years, but the State of Florida—the Governor there also has the line item veto. It works very effectively. It has worked well in our State, and I think it would certainly work well on the national level, and I would like to see us move in that direction. I think we need both the balanced budget amendment and the line item veto.

Mr. ALLARD. As a city official, we have been discussing what we can do to improve the budgeting process here, at least the last 2 weeks in this Committee, and we've just had the budget bill before the House the last week or two.

As a city official, I would assume that you had some clear understanding as to what baseline spending was. As you've observed here, we don't have a clear understanding of baseline spending. It's some actual amount of dollars spent last year, plus inflation. Would you comment on that as a municipal official, on baseline spending?

Ms. FOWLER. It's definitely different here, and it seems to be a constantly moving figure here, instead of really true baseline spending.

Also, as a former city official, I am very concerned about unfunded federal mandates. I'm now serving on a task force on that, because what we're doing to our cities and counties and to our states—I mean, every time we pass another federal mandate and we don't provide the funds for it—it does get paid for.

It gets paid for by the local taxpayers back in our states and cities, so I think we've got to be very aware of that up here. When we're passing these mandates, let's make sure we can afford them.

Mr. ALLARD. Thank you, Mr. Chairman.

Thank you.

Chairman HAMILTON. Mr. Emerson:

Mr. EMERSON. Mr. Chairman, thank you. I don't have any questions. I do have a couple of comments.

First of all, I want to commend you and the Democratic freshmen for what I think are some very positive recommendations in the main and I think we should pursue them, and I believe that this Committee will have, in its deliberative process as we move forward to making recommendations to the Congress, a due regard for the ideas that you've presented because you are fresh among us, and I think probably you bring a perspective from the people that is very healthy.

There's one note of caution I would add. I did and I do still today—the Select Committees having expired at midnight last night—take great umbrage in the manner in which that issue was dealt with. I thought it was thoughtless. I am upset with the leadership of both parties, and the way I feel that they acceded to Members who I do not believe were well-informed as to what they were doing.

I think process is very important. We, Republicans here, complain all the time about the lack of process and how, because it doesn't obtain, we are disadvantaged, and I believe that, and believe that deeply.

I am not one who would argue for the perpetuity of Select Committees, but I did believe there was a rational process by which their conclusions might have come about, and that was to extend

them temporarily while this Committee sorted out the jurisdiction, the mission, and what we do when we close down a committee. I still believe that that should have happened.

The Select Committees did have, do have jurisdiction. There was a significant reason for which they were created in the first place. Perhaps, they have gone on too long, but they have accumulated bodies of evidence, they do have files, and what we have succeeded in doing really is cutting them off at the ankles, denigrating their work, and have not provided, in the manner of which we've gone about it, an appropriate way for the resolution of issues that are hanging out there.

This Committee will, I presume, pick up where everyone else has left off or where no one else, particularly in the leadership of either party, would confront the issue. I suppose it is now ours to sort out the pieces that remain lying on the floor, but as we go forward in all of the reform issues, I hope we would be reminded that process is very important and that even when we disagree with other people's opinions, we should have some regard for process—or in the ultimate analysis, we're all the losers. Just a comment.

Ms. FOWLER. I'd just like to say, Mr. Emerson, I've been a long-standing advocate for children, for the elderly—you know, the issues that those four Select Committees, you know, dealt with, and as stated by our colleagues earlier, I think we're all going to be working to make sure that those issues are not lost, but that they are included at the top of the agenda of our standing committees, so that we make sure that their work does continue, but hopefully, in a more cost-efficient way of doing it, using our standing committees.

Mr. EMERSON. Well, let me share this with you because, I think, also there have been some misperceptions. I will tell you that the Select Committee on Hunger, about which I do have some passion, operated on less of a budget than the budget of an individual representative—less than your personal office budget. That cannot be said for many committees of the Congress.

It was also the one committee of the Congress that met the standard that we, Republicans are always advocating—the two-third, one-third rule. Under the Chairmanship of Mickey Leland and of Tony Hall, we have always had one-third of the resources of the Select Committee on Hunger. I cannot speak for any of the other Select Committees, but I think the point remains that they were arbitrarily disestablished without thought as to what happens to what's left.

I will tell you, you know, the subject of welfare reform is one that we are all interested in. I would maintain that probably the finest body of files and evidence for the need for welfare reform, and some of the things that need to be fixed exist in the hearings and the transcripts of the Hunger Committee.

I'm going to offer those, to the extent I have any control over them, to the Administration, to the Ways and Means Committee, to Health and Human Services, to anybody who's interested in the subject of welfare reform, but I just really strongly feel that there was a more orderly process in which we might have gone about this, and that passion prevailed over reason, and I'm concerned

that as we move into other reform issues that the same thing not happen, vis-a-vis these other reform issues.

I led the opposition in 1984, to the creation of the Select Committee on Hunger—bearing on the point that you have made—and one of the things I said at the time was what Congress does not need is yet another committee.

I believed that then, I believe that now, and I said at that time, what we really ought to decide is where the issues that are being proposed that the Hunger Committee address—where among the standing committee, that jurisdiction should go, and let's assign it there right now and not create another committee. That did not happen.

Since the Hunger Committee was created, I will tell you that I soon found out—I also said Agriculture had plenty of jurisdiction for domestic hunger, and that the Foreign Affairs Committee had plenty of jurisdiction for famine problems.

I soon found out that the Agriculture Committee really did not have the will or the wherefore or the jurisdiction to deal with domestic hunger issues in the manner that the Select Committee on Hunger did, and also that the international—the Foreign Affairs Committee did not, either choose to deal with—they did not have the same leadership then that they do now.

The distinguished Chairman of this Committee is also the Chairman of the Foreign Affairs Committee, and I think he will probably give international hunger and famine issues a different emphasis than those with which they've been treated in the past, but the simple fact of the matter was, either the will or the wherewithal did not exist in the Foreign Affairs Committee to deal with situations like Ethiopia, Sudan, and Somalia, so to say that—well, willy-nilly jurisdiction otherwise exists, that's not so.

Mr. TORKILDSEN. If I may, Mr. Chairman, just briefly—Congressman Emerson's point, I think—and I'm doing this on memory—points out one of the other changes that we recommended as being needed—that I believe Representative Solomon in the Rules Committee asked for the ability to make an amendment for a 1-year phase out of Selects, instead of immediate elimination.

Again, this is from memory, but I believe we were not allowed to bring that amendment on the floor. The only vote that we were allowed to make was either continue funding or no funding at all, and given that choice, a lot of us said, "No funding," but again, if the rules had been more open, that 1-year phase out—which it sounds like you think would have made more sense, and there's a strong argument for it—could have at least been brought to the floor and debated, but the rules as they are now, could not be.

Mr. EMERSON. Well, you are right. Let me—you are correct, and I support you in your statement. That is what should have happened, and maybe therein lies another lesson that we all ought to learn around here.

I did not think that a 2-year re-authorization for Select Committees was going to find a great deal of favor, and I went to some Members on the Democratic side and told them that, and told them that I thought they should be working for a compromise with the Republican leadership that would lead to a 1-year or an 8-month extension, subject to the deliberations of this Committee.

The Democratic leadership said, "Oh, no. We've got the votes, we don't want to fool around with your proposal for limited authorization and refer it to Hamilton/Gradison. We can re-authorize it for 2 years." I said, "I don't think so," but they said, "Oh, no. We've got the votes, we'll do that."

Well, you know, the Republicans did have then—the Republican leadership came up with the scheme of 1-year, referred to Hamilton/Gradison, and all of that ultimately got put on the table, but when the Select Committee on Narcotics failed in a vote on the House floor, there were elements—both, on the Democratic side and the Republican side said, "Here's our opportunity to strike. Let's kill them. We smell blood," and beyond that point, there was no reason in the argument, and I say that there's the plague on both sides of the House.

There again, passion prevailed. I do not believe that Select Committees were dealt with in any reasonable way at all. I've been told to shut up on the subject, I'm beating a dead horse, but I think it is important that the people and the decisionmakers, as we look to the future, know what really happened there, because I don't think you'll find from the leadership of either party what really happened because I don't think they want to deal with it, but you're right.

You're right, Mr. Torkildsen. That offer was made, but you see, the Republicans then said, "No. Look, the Democrats helped us defeat that Narcotics Committee, and we'll go all the way," so the Republicans, in effect, acquiesced in what was the wrong policy to begin with. I mean, we should have gone forward with the compromise offer we had made the Democrats.

Two wrongs do not make a right, because the Democrats, wrong in their arrogance of saying they had the votes for a 2-year re-authorization, doesn't mean that we were right in insisting that we cut off Selects at the ankles.

MR. TORKILDSEN. Mr. Chairman, if I may just have another minute, I wanted to go over a point that Congressman Allard has asked about.

Prior to coming to the House of Representatives, I was the Commissioner of Labor and Industries for the State of Massachusetts, and the budgeting process there, while it goes through its own convolutions, is quite different. There is no such thing as a Congressional baseline—current services baseline budget—so when Massachusetts was facing a fiscal crisis, the Department of Labor and Industries for Massachusetts, while I was Commissioner, went through a very minor reduction—about a 1-percent reduction—but there was no automatic assuming that there was going to be an increase for inflation, that there was going to be an increase for more services that could be provided, we just had to look at the bottom dollar amount.

I am not an expert, by any means, on the federal budget process, but I think one thing that could help is to look at what needs are actually there. Do not assume an automatic increase for inflation because the people who work in this country are not getting automatic raises in their paycheck. They cannot go to their employer and say, "Well, my expenses went up, therefore, you have to pay me more money."

We should not assume that the departments of the Federal Government have a right to an increase, whether it be for inflation or other reasons. We should be budgeting the way households in America have to work their own budget.

Chairman HAMILTON. Let me express my appreciation to you for coming. Your testimony has been very good.

I was impressed, Ms. Fowler, with the process you used in order to get your recommendations. I think you said you had a questionnaire, and then you compiled the results of that questionnaire. Incidentally, we hope to do the same thing in this Committee. We're going to be sending out a questionnaire, so we're following your example here. And then, of course, you debated and discussed it and came up with 19 or so recommendations.

I'd like to ask just one question. One of the problems this Committee will confront is to decide how much the traffic can bear. How many reform proposals can you put on the table? What can this body digest at one crack?

Now that's a tough call, and we haven't begun to try to sort through it, but in order to help us here, let me just pose the question to you. Of your recommendations, which one or two or three stand out to you as your highest priority of the freshman Republican class?

Ms. FOWLER. First, I'd like to say, I'll speak for myself, and so will Mr. Torkildsen because our class did not rank these, but the two that were unanimous from our class—so I would say, I think they would rank the highest, and I think we all feel that the fiscal state that this country and Congress are in is our number one priority, so I would say the line item veto and the balanced budget amendment would be our top two. Those were unanimously agreed upon by all 47 Members of our class. It's been a top priority because until we get our fiscal house in order, it's very difficult to do some of the other things that we need to be doing, so I would certainly think those would rank at the top of our list.

Chairman HAMILTON. All right.

Mr. TORKILDSEN. Again, given that we did not try to rank these—I mean, three that would sort of address, at least, part of the problems that we outlined, I think, would be allowing public access to discharge petitions, so people can have a better understanding of which Members are actually working for legislation that way, the requirement that a closed rule be very difficult to bring to the House floor, again, would allow not only more open debate, but more open proposals on the House floor, and then the reduced franking accounts and automatics of disclosure, again, that would be a way of saying to people, "We're willing to cut back on the money that Congress is spending on itself," again, because we know cuts are coming elsewhere in the budget, they should start here, but it's very difficult because, again, we look at this as a package, and these were actually 19 of about 50 different ideas that were submitted.

We went over a number, and we did ask people to say what were their 10 most important ideas. There were a number of good ideas that just didn't meet the final mix, but we wanted to concentrate on things that we thought we could get broad-based support for.

Chairman HAMILTON. Thank you very much. I'll turn the Chair over to the Vice Chairman, Mr. Dreier.

Mr. DREIER. Thank you very much, Mr. Chairman.

Chairman HAMILTON. I think Senator Murray has appeared. I want to say to her, I apologize for leaving at this point, but I'm sure she understands that there are other commitments, and that apology goes also to Senators Bennett and Coverdell, who I think will follow her. We're very grateful to you for your presentations. Thank you.

Vice Chairman Dreier?

Mr. DREIER. Thank you very much, Mr. Chairman. Let me just say to the two of you that I don't want to be at all partisan here, but if you juxtapose the way you handled the information gathering process to that rather rancorous meeting that your colleagues on the other side held, it sounds as if the model that you set, as Chairman Hamilton has just said, is the one which we're going to follow here, and I think that it's going to be a lot of—it's going to be an awful lot of work for us as we move ahead, but your proposals are extraordinarily worthwhile and I can tell you with every bit of confidence that we are going to seriously consider all of the items which you have put forth, and I thank you both for your hard work on this.

Ms. FOWLER. Well, we want to thank you for allowing us to come. I just would like to emphasize, having seen and read the freshman Democrat's proposals, there are five or six areas in which we do agree.

Mr. DREIER. Absolutely.

Ms. FOWLER. And I think it's going to be very important that if the 110 of us now can get together on these, such as making all—Congress, you know, come under all the laws it passes, reducing the federal funding for former speakers—these are the things—there are lists of some that we are in agreement on, and I hope we can all come together now and work on behalf—

Mr. DREIER. Well, I said this when you first came before us a couple of months ago and I said it to the Democrats then, and I truly believe that the 100 of you—63 Democrats and 47 Republicans—are the key.

I'm very pleased that my California colleague, Mr. McKeon, is here in support of your effort, and as I've said to Members of your freshman class before, I hope very much that you will be able to continue to work as closely as possible with our counterparts on the other side of the aisle and your class to insure that we can put together a solid block of votes to pass a meaningful reform package, because this Committee is determined not to make cosmetic changes.

We feel that we would rather lose, having fought for real, meaningful reform, which is what the American people want, than to pass some kind of cosmetic proposal, so thank you very much. We appreciate it.

Mr. TORKILDSEN. If I may just add one point, and I should have done this in the items—elimination of the Appropriations Committee. I mean, if—you're probably looking for one item that really deals with the process, with saving money, perhaps that's the one that should be elevated above the other ones, which each have

their own component of change, but I did want to put a plug in for that as well.

Mr. DREIER. Good. And we'll look forward anxiously to your proposal on campaign finance reform, too.

Ms. FOWLER. We will be back with that, and I want to thank the Members of this Joint Committee. I know you have spent many more hours than we've spent and have many more to go, and we appreciate all the work that you're doing on all of our behalf.

Mr. DREIER. Thank you very much, Tillie.

Mr. TORKILDSEN. Thank you.

Mr. DREIER. Thank you. OK. Now we are going to proceed with our new colleague who has joined us, Senator Patty Murray. We look forward to your testimony, Senator, and appreciate the important perspective that you bring, too, as a new Member of the Senate, to the work of this Committee.

STATEMENT OF HON. PATTY MURRAY, A U.S. SENATOR FROM THE STATE OF WASHINGTON

Senator MURRAY. Well, thank you, and it's wonderful to be here, Mr. Chairman, and Members of your Committee, and I especially want to say hello to my colleague from Washington, Jennifer Dunn, who I see here with us today as well. I want to thank you for inviting me to give my perspective as a freshman coming to the Senate, and what I see as needed changes.

I have to tell you that when I was growing up, I never dreamed that I was going to be an elected official, much less a United States Senator. When I was growing up, Senators were considered to be tall and male and rich.

[Laughter.]

Senator MURRAY. I was not any of those.

[Laughter.]

Mr. DREIER. Well, I think we have that represented right here.

[Laughter.]

Mr. BOREN. I wish.

[Laughter.]

Senator MURRAY. But I always did believe, growing up, that the little guy is as important as the big guy, and I think that that's one of the goals we have to keep in mind as we reform Congress.

I haven't been here quite 3 months, and I understand how easy it is when you're here to forget that the country is made up of little guys, and we have to remember that our actions here affect all people in this country.

In the middle of turf battles and filibusters and cloture votes and quorum calls, we sometimes forget to hear the American cry, which is to stop business as usual and end the gridlock here.

Strangely enough, reform means to me, doing what we were sent here to do, which is to make tough choices, take tough votes, and enact programs that help people, and that's what I think it truly means to the American people. We're kidding ourselves if we think reform is charging fees for the gym or changing the hours of the cafeteria.

To the average American, Congress has missed the boat on reform. Americans are frustrated, they struggle in their own lives,

and their perception is that Congress lives like royalty. Headline grabbing scandals about abuses of power or perks have our phones ringing off the hook temporarily, but when the glare of the spotlight has dimmed, the need for change seems to disappear with it.

The first message, I believe, from the American people is to get our own house in order. At a time when we're asking the American people to make major sacrifice, we have to make sacrifice, too, and I applaud the initiative of the speaker and the majority leader in implementing a 1-year across-the-board freeze in legislative branch salaries, in moving to reduce Congressional personnel by 4 percent in 2 years and administrative spending by 14 percent in 4 years, but I think we should also look at duplication of effort here.

For example, do the Senate and the House need separate payroll systems? How much does it cost to issue payroll checks twice a month as we do in the Senate compared to what the House does when they issue them once a month? As a new Member of the Legislative Branch Appropriations Subcommittee, I want to look at these and other ways to make Congress more efficient and more cost-effective.

If the first message of the American people is to get our own house in order, the second one, I believe, is strongly—do not abuse the power given to you by your neighbors and friends when you come here, and I can think of no better example of misuse of power than sexual harassment. Congress has to make a tough stand against sexual harassment.

As a State Senator in the State of Washington, I worked on drafting and passing the first policy on harassment and discrimination for the Washington State Senate, and I've attached a copy to my written remarks for your use. I'm pleased that the 1991 Civil Rights Act set up an Office of Fair Employment Practices in the Senate. That was the first good step, but it is only that.

Most victims of sexual harassment are women—women who work for men who control their paychecks and have a tremendous impact on their self-esteem and their professional development. These women must have access to the full range of remedies for the harassment they experience—remedies including compensatory and punitive damages, as well as reinstatement and hiring with back pay, and I believe that these protections should be available to women wherever they work, whether it's Congress, judiciary, or military.

These institutions should not be exempt from laws prohibiting sexual harassment, and victims of sexual harassment in these work environments should also have access to our justice system.

In addition, I believe that we must face ourselves and the American people squarely, and not pretend that harassment doesn't take place in the halls of Congress. If we are truly to eliminate harassment in our work place, we must institute special education and training programs for both Senators, House Members, and their staffs, and I would like to see the Senate take a lead in this effort.

Finally, I would like to talk about representative government, the idea that elected officials should come from all walks of life, all ages, and all backgrounds. Although there are many obstacles, as all of you know, to getting here, serving here is another story. It's very difficult to have a predictable life.

My son, Randy, called the other day and said, "Do I have to talk to your secretary in order to see you?" The cost of running and staying in office, the schedule, and the demands discourage most ordinary people from seeking public office, let alone a seat in the Senate. As a result, we do not have representative government here. We don't even have a family-friendly government. The Senate may look a bit more like America than it did last year, but not much.

Some of the solutions that we've talked—campaign finance reform and procedural changes are like the Loch Nest Monster—much discussed, but rarely seen. They could help make the Senate and Congress are more representative place. Changes in procedure could make the Senate, at least, a more predictable place.

Just last week, the Senate worked on the budget resolution until well past most kids' bed times, and from what I could tell, most Members' bed times every night.

[Laughter.]

Senator MURRAY. I've had to miss my daughter's first play since I've been here, and I know that many other people who have children feel the same. It seems that we are again, this week, caught in gridlock and working late every night. This is precisely the type of situation, I believe, I was elected to stop.

As a Senator, my power to stop bills far outweighs my power to move bills. In January, the majority leader proposed a series of procedural changes to make the schedule more predictable—simple things, logical things, like counting time in quorum calls against the Senator who called the quorum or limiting debate on motions to proceed or requiring amendments to be germane, which I think is important.

And I would add several things to his list—make the ever-changing list of amendments available periodically, make summary explanations of amendments available, and require that a vote cannot begin until a written copy of the amendment has been made available to any Senator who wants one.

I was amazed when we were passing the Motor Voter Bill several weeks ago and I asked for a copy of the amendment as the vote began, and it wasn't until the vote was over that I had a page hand me a copy of the amendment. The minutia of procedural and administrative reforms may be of interest to cease banned junkies and lobbyists, but in the other Washington—Washington State—and throughout the country, reform means legislating.

We can require that amendments be germane, we can ban quorum calls, we can work harder in committee, but I believe that reform in the world will be meaningless until we, as legislators, have the guts and the courage to make difficult choices and move on. Thank you.

[The prepared statement of Ms. Murray is printed in the Appendix.]

Mr. DREIER. Thank you very much, Senator Murray. You bring a very important perspective to the work of this Committee as a new Member of the Senate, and I'm happy now to call on the Chairman of the Committee, Senator Boren.

Chairman BOREN. Thank you.

Mr. DREIER. Not necessarily an old Member of the Senate.

[Laughter.]

Mr. BOREN. Thank you very much, Mr. Vice Chairman. I apologize that I'm going to have to go back. I've been in a meeting on a subject that's been brought up by the freshmen, and I know a subject that is of interest to Senator Murray, and that's campaign finance reform, so we're trying to move another part of the reform agenda in another meeting that's going on today, but I wanted to come and have the opportunity to hear Senator Murray's testimony.

I followed your career, and in many ways, you had some of the same experiences I did—walking across the State, I did that. You learn a tremendous amount when you're out talking to the people and meeting people in that kind of circumstance.

I did it with a broom in hand, rather than with tennis shoes on, but it was a very similar experience and I think you have spoken effectively and eloquently about what we need to do to change the institution, and how easy it is for us to forget our mission here and who sent us here and why they sent us here, so I want to assure you that the Committee is interested in making some fundamental changes and reforms.

One of the things that we've talked about—and there's been a good bit of focus—is this fracturing of time, the fact that you come out here at the beginning of the day, you run from one thing to another, you can't possibly devote enough attention to really get in depth on any particular problem on which you're working, and I wonder if you would agree with those of us who feel that we need to greatly reduce the number of committees and subcommittees, pear back the overlapping jurisdiction, and the really allow Members only to serve on a reasonable number.

The average Senator now serves on 12 committees and subcommittees. We have some Members serving on up to 23 committees and subcommittees, and our hope is we can pear that back and also pear back the number of committees and subcommittees we have, so we can more focus our time and our attention, and get useful legislative product as a result.

Has that been your experience so far, I think, coming in and seeing this with a fresh perspective, that there's too much fragmentation?

Senator MURRAY. I agree with you wholeheartedly. One of the most, I think, frustrating things for me as a freshman Senator walking in was that I was supposed to be in 40 different places at once, and every one of those places was an important place to be.

Chairman BOREN. Right.

Senator MURRAY. It's very difficult to be a Member of many different committees and to watch that process. I would agree that we should limit the number of committees a Member can be on, and that we should really focus some of our work at the committee level, rather than having it be such the haphazard mess that it appears to be today, so I would strongly back that.

Chairman BOREN. All right.

Senator MURRAY. I would, however, add that it also appears to me that there are so many, many issues that we are dealing with in Congress today, I also am concerned that if we cut back the number of committees that we're involved with, those of us who

are facing a wide array of issues at home, whether it's economy or health care or education or jobs, would not be able to work on the many issues facing us. It's a dicey one to deal with.

Chairman BOREN. It's a tradeoff. It's a tradeoff. I'm certainly interested in your comments of making sure that Congress, whether it's on sexual harassment or other matters, come under the same rules—put itself under the rules and laws that it passes for other people.

Senator MURRAY. I will tell you that that is the one comment I have heard more than any in the State of Washington over the past several months—that Congress ought to be following the same laws that they require the rest of the Nation to do.

Chairman BOREN. Right. How do you feel about—one of the things we looked at earlier in our series of hearings was the Ethics Committee process, and there's been some suggestion that—rather than have a process which solely involves Members, where Senators are judging other Senators, for example, and House Members, other House Members, that we may want to, at least, in part of the process—it appears that the Constitution may require us, ultimately to vote on imposing punishment on our own Members since we're the judge of our own Members' qualifications, but at least there's been the suggestion that through, at least, part of the process, perhaps the fact-finding process—What is the behavior? Has there been a violation?—that we could involve, at least, in part, a panel of distinguished citizens from outside Congress and maybe it might include some distinguished former Members or others who are staff Members who have had experience with Congress, mixed with those from the general public—people of stature and experience and respect.

What is your reaction to that? Do you think we would be better off to, at least, have in part of the process some people from the outside, so that we would not be judging ourselves completely in the process?

Senator MURRAY. Well, I have thought about that, and I do believe that one part of the process, whether it's the beginning or the end of the process, should be people from outside the institution, whether it's retired judges or former Members or people from outside the world.

It would be beneficial, not just because we would get an outside view of what we are doing and a more impartial view, but it would also relieve Members who are required to serve numerous hours on the Ethics Committee and put aside many of their own duties and their concerns about their own State that they don't have time to fight for because they are serving on the Ethics Committee.

Chairman BOREN. Right. Right. Well, I would agree with that, and I'm hoping we can find a way they can do that, especially in the fact-finding process, which is the most time-consuming, and I think it's also the part of the process which puts Members on the spot in terms of judging each other, and the public perception that—"Well, it's a closed club in which they're going to protect their own, and they're not going to really be objective about it."

Senator MURRAY. Right.

Chairman BOREN. Well, I appreciate your comments very much. One of the other things that I hope we can do, and from your per-

spective in serving in the State legislatures—I also had a chance to do—one of the things that shocked me, and I would just ask you if this was your experience as well, when I came here, in the State legislature—and we all thought the State legislature had a lot of shortcomings, but at least we voted on proposals that were in writing—if you wanted to offer an amendment in committee, you had to have your amendment written out, so that the Members could look at the legislative language.

One of the things that I note around here very often is Members will say things verbally. There will be no written amendment. It is left then to the staff to actually write the law—the legislative language—and I've had experiences sometimes when the committee staff didn't write legislative language that comported at all with what I thought was the intent.

Was it your experience also, whether in committee or on the floor, you had to have the amendment actually written out, and that the Members who were elected did the legislating?

Senator MURRAY. Absolutely. Absolutely, and on the floor of the Senate, you could not consider an amendment that had not been filed at the bar ahead of time.

Chairman BOREN. Right.

Senator MURRAY. So that all Members had knowledge of what amendments were going to come up, and we had some kind of time frame on when they were going to come up.

Chairman BOREN. Well, I think it's important, and we do—especially, with no germaneness rule, and no rule of written amendments in advance, and then committees even operating without written amendments, makes it very difficult to have any notice or to be prepared for the subject matter that's going to come up.

Senator MURRAY. I would agree with that wholeheartedly.

Chairman BOREN. Well, we welcome your thoughts today, and let me say, as we go forward with our deliberations, if there are additional thoughts that come and you want to give us suggestions or pass on suggestions to us in writing as well, we would welcome them, and the Senate is certainly a better place because you're a part of it.

Senator MURRAY. Well, thank you.

Chairman BOREN. I'm glad that you're here.

Senator MURRAY. Thank you, Mr. Chairman, and Members of your Committee. I know all of you are devoting a lot of time and energy to doing this, and all of us who aren't on the Committee appreciate your work as well.

Chairman BOREN. Thank you. My colleagues have some questions.

I apologize that I have to go back into the other meeting, but thank you, Mr. Vice Chairman, for letting me break in.

Mr. DREIER. Thank you very much, Senator Boren.

You mentioned, Senator Murray, that when you first got here, it was a challenge to try and be in 40 places at one time. Well, if anyone has come close to being able to do that, it is your Washington State colleague, Ms. Dunn, who has been in many places, I know, this morning, because I have run into her in several of them, and she has several questions for you, I know.

Ms. DUNN. Thank you. Thank you very much.

Welcome, Senator Murray. I've got to do a little bragging here. Washington State leads the Nation in the number of women in its Congressional delegation and also in percentage of women in its legislature now, and I think it's delightful that you have come before our Committee and we have a chance to bounce some ideas off you, because I think challenging the status quo was fundamental in your election in our State.

I would like to ask you, with regard to one of your comments that had to do with the Congress being family-friendly, what you would think of an idea that's come before this Committee a few times in different forms.

In the Senate, I understand that currently you have 1-week off to spend in your district to work outside the halls of the Senate and then 3-weeks in the Senate, and the thought that has come to us and that I'm interested in would be doing a similar thing in the House of Representatives, and allowing us—certainly, it would be helpful to those of us from the West Coast who have such a long way to fly. That takes up so much time that when we're in our districts with a simple weekend, we really only have about one business day to do our work, and the weekend time.

If we were to institute something like that that would be done in cooperation with the Senate, so that we could, in the other 3 weeks, have business 5 days a week and really be here and spread our workload out over that period of time, and then allow us to go home and really focus on the concerns of our constituents during that single week, have you thought about that, whether that would be a little bit more family-friendly, or what effect that might have?

Senator MURRAY. Well, I would agree with you that that is a much better process for those of us who live on the West Coast, and you know as well as I do that it can take 8 or 10 hours to get back here, and if you go home on Friday and come back on Monday, you barely have any time to be in the State, and that's very frustrating.

The Senate schedule hasn't been 3-weeks on and 1-week off. In fact, there's only been one recess, since I've been here, in 3 months. I understand that's the way it's supposed to be, but so far, we haven't had that.

I would highly recommend a 3-week on, 1-week off session because then it would allow you to go home during the 1-week time and really spend some good quality time in your State, be able to visit places during the week and not just on weekends, and would allow Members the ability to be here on weekends and the other 3 weeks to spend time with their family.

If that doesn't occur, what ends up happening is you fly home every weekend, say goodbye to your family if they're here, and you barely see them. It makes it very difficult, and I think that if we pass some other rules that allow us to use our time more wisely when we're here that we could indeed have a schedule that was 3-weeks on and 1-week off.

Ms. DUNN. Well, I think that's one we ought to pick up and maybe work on both sides of the aisle in both the Senate and the House. I think we might be able to put together a schedule that would let us spread our great number of responsibilities out and get more accomplished.

I'm glad that Senator Boren asked you the question about the Ethics Committee. I think that's one we need to pursue, too. There's been a lot of testimony about the different combinations that might work.

I have been appointed recently to the House's Office of Fair Employment Opportunity, and we have yet to have a meeting. I hope we won't have very many because I hope the process will sort itself out before that time, but one of the suggestions was bringing in former Members and having them sit during the exploratory phase and then turn it over to Members who are current Members. Is that something that you've thought about?

Senator MURRAY. I have thought about it, and I think it's a good idea. I don't know how hard it would be to find former Members who are willing to serve on the Committee without compensation. It would be pulling teeth to get people to do it.

[Laughter.]

Senator MURRAY. There would have to be some way to encourage Members to do that. It may be that we could have judges who work on an interim basis on the Ethics Committee as needed or something, but I do think that we need a process where other than Members are involved in the ethics process.

Ms. DUNN. Do you, Senator Murray, see areas where Members on both sides of the aisle in this Senate might be able to come together behind reform of the Congress? Are there some areas you discussed maybe among the freshmen and also among senior Members that occur to you as good places that we should consider as we start completing our hearing and putting together a really substantive package for this Congress?

Senator MURRAY. From what I can tell, the House has been much more diligent with the freshman Members meeting together to talk about reform. In the Senate, we have not had the time to do that.

Number one, we're smaller. There's fewer of us, but our schedules have been so hectic and drawn out, and as we've already mentioned, we're supposed to be in 40 places at once.

The freshmen really haven't had time to sit down and say what we think works and what doesn't, but I think it would be a good idea for us to do it and I will take it up with some of my colleagues.

Mr. DREIER. Thank you very much.

Mr. Allard?

Mr. ALLARD. Thank you very much. I would like to welcome Senator Murray to the Committee also with my colleagues, and I was particularly impressed with your comments on Congressional exemption where Congress exempts itself from the laws that it expects everybody else to live under. I feel very strongly about that issue, and I get frustrated because it seems like we continue to exempt ourselves.

The most recent piece of legislation to pass this body where there was an exemption for Congress was the Family Medical Leave Act.

Senator MURRAY. Well, actually that bill passing the Senate, did include the Senate in the bill.

Mr. ALLARD. But the final form is that we do treat our employees on family and medical leave differently than what the private

sector does because our employees go to an appointed committee and they can't appeal it to the judicial process, where if you're a private employer out there, there is an appeal, so they are treated differently.

Senator MURRAY. That's correct.

Mr. ALLARD. I'd like to know what it is that we can do from your perspective and from the office of body, what we can do to prevent that from happening as Members.

Senator MURRAY. Well, I'm delighted that you are all in the Committee working on this because it is a quagmire when you walk into it and you get into all of the judicial process and how to make Congress apply the laws. I don't have an easy magic solution for you, but I do think that there may be ways that we can write Senate and House rules that apply to Members that are identical to those rules and laws that apply to the rest of the working world.

If I come up with some brilliant suggestions, I will get them to your Committee, but I can tell you that the perception in the world is that we treat ourselves like royalty and make everybody else do the work, and I think that because we exempt ourselves from so many laws, it leaves us for that charge.

Mr. ALLARD. Well, I think that we need to bring ourselves under the same laws. You apparently are hearing the same concern from your constituents that I am—that, you know, "I think Congress would have a better appreciation of the amount of rules and regulations that are posed on everybody else if they had to live under those same rules and regulations."

We also finished deliberation on—the balanced budget amendment and the line item veto comes to my mind because of our deliberations, and I serve on the Budget Committee on the House, and I'm particularly frustrated because we haven't had the accountability that I'm used to seeing as a former State Legislator, which—by the way, we have a lot of women in our legislature, too, and I thought for a while that we had the most women. I'm glad to hear that you have that.

Ms. DUNN. Percentage-wise we do.

Mr. ALLARD. Percentage-wise, okay.

[Laughter.]

Mr. ALLARD. Getting back to the budget process, I just think we need to have more accountability in looking at the balanced budget amendment and line item veto. You're a freshman Member new to this institution, have served in the legislature, and I would like to hear what your perspectives are on the balanced budget amendment and line item veto.

Senator MURRAY. Well, frankly, I'm concerned that the balanced budget amendment is merely a way of telling the American people we're going to have a balanced budget, when, in fact, if you look at the language of the balanced budget amendment, there are many outs in it. Whether there's a defense problem or because of economics or whatever, there's many outs written into the balanced budget amendment on purpose, because unlike State governments, the Federal Government's role is to keep the economy moving, so I'm concerned that the balanced budget amendment will only be a piece of paper and really won't do what need to be done, which is—those of us that are here cannot continue the practices of the past.

We have to recognize that we have a debt and a deficit, and it's our responsibility to tell people at home that we are going to make the tough decisions that obviously Congress has been reluctant to make in the past.

In terms of the line item veto, I think I have a unique perspective on that, coming from a State where we did have a governor with a veto power. I, unfortunately, found that far too often, the line item veto was used as a measure to force reluctant legislators to vote one way or another.

I believe in the legislative process where legislators from all different areas come together and hassle out their differences and try to decide what is the best way to do this so it works for all of us, and when you do that, you compromise some of your principles as you work through legislation.

When you compromise your principles and you do it in a negotiation process where you know that the final outcome is going to be the negotiated process, and you believe that you've hit your bottom line, it works, but it doesn't work when that then goes to a governor or president who has the ability to take out a line or a section. It no longer is the legislative compromise, and I have a real fear that we will lose much of our ability to be good legislators.

Instead of writing compromised legislation that works, we will insist on legislation to the maximum or otherwise, and knowing full well that I could go to the President and ask him for a section or a line item veto—I can compromise with you all day long, knowing full well that I can go and get language taken out, and I think that it leaves us as legislators at a real disadvantage.

Mr. ALLARD. Well, like you, I served in the State legislature, and we served under a line item veto. I didn't see the pork barrel projects that we have here at the federal level, and because of that excessive spending that we have in that particular area, I happen to disagree with you on the line item veto.

I was interested though, in your comments on the balanced budget amendment. Am I to assume from your comments that if we didn't have the exemptions—the exceptions in the balanced budget amendment, that's something you would be supportive of?

Senator MURRAY. I have not seen language of a balanced budget amendment that I can support at this time.

Mr. ALLARD. Thank you, Mr. Chairman. I see my time has run out.

Mr. DREIER. Thank you very much, Mr. Allard.

I'd like to pursue if I could for just a moment a couple of lines, Senator Murray. I've had the privilege of asking questions of the other freshman Members who were before us, and the question that I said I had asked when we had the resolution which actually established this Committee—we had many freshmen who came before the Rules Committee in the House, and I asked if they would be willing to give up a committee, and I'm not asking them to state which committee that will be, because I know it could be politically difficult for people to do that, but since you've raised the issue of trying to be in 40 places at once—I should tell you before you answer, that every single freshman who has been asked this question by me has said yes, that they are willing to give up a com-

mittee, and if you'd like to expand on that in any way, I'd be more than happy to hear that.

Senator MURRAY. Well, yes, I would be, although I am serving on two A committees and one B committee, which is what is written in the Senate. Many Senators sit on three A committees or more, so I am at the proposed rate right now.

Mr. DREIER. But conceivably, even though you're at that level—we know that there are many Senators who serve on as high as 23 subcommittees—you would be willing to reduce even from the level where you are today?

Senator MURRAY. You're asking somebody who's been put on the Banking Committee if I want to give up a committee.

[Laughter.]

Senator MURRAY. It would be very easy for me to say yes.

Mr. DREIER. I used to serve on the Banking Committee myself, so I'm sympathetic with that. When I was a Member of the Committee, we created the problems which we expect you now to solve.

[Laughter.]

Senator MURRAY. I know.

Mr. DREIER. I am very sympathetic with you on this issue of having Congress live within the guidelines that are—laws that are imposed on the rest of the country, but the standard argument against this is this separation of powers issue, and I wonder if you have any thoughts, since you have been listening to this on a regular basis from your constituents in Washington State, about how we might address this separation of powers question.

Should we have Congress comply in a blanket way? Should there be an office of compliance? What do you believe would be the best way for us to address that?

Senator MURRAY. I don't have a good answer for you today, but I would be happy to think about that and get back to you. I have never seen a law that hasn't been able to be written, and I think that if we—if there's a will, there's a way.

Mr. DREIER. Well, we'll look forward to that. Your testimony has been very helpful, and I apologize for the fact that we haven't had more Members here, but I know that many of them are—

Senator MURRAY. No problem. I understand.

Mr. DREIER. You certainly had quality from your colleague in Washington State and Colorado in here, too, but let me say that we look forward to working very closely with you.

You're not a Member of this Committee, but we know that the only way we're going to implement meaningful reform of both Houses of Congress is if we work closely with our colleagues to gain their support for what it is that we want to put forward. I thank you for being here.

Senator MURRAY. Well, I look forward to working with you on that, and again, thank you, all of you, for your time.

Mr. DREIER. Thank you very much, Senator.

We are expecting to hear from Senators Bennett and Coverdell, and I understand that Senator Coverdell is in route, so he should be here momentarily, and at that time, we're going to take their testimony, and anyone who wants to stay is welcome to—or you can just leave Phil here.

[Laughter.]

[Recess.]

Mr. DREIER. If we could reconvene, I'm happy to—we're expecting to hear, as I said, just a few moments ago from two freshman Members of the U.S. Senate, and the other one has joined us, Senator Coverdell and Senator Bennett.

First, Senator Bennett is from Utah. He serves on the Banking, Housing and Urban Affairs Committee, the Energy and Natural Resources Committee, the Small Business Committee, and the Joint Economic Committee, and Senator Coverdell, from Georgia, my very good friend serves on the Agriculture, Nutrition and Forestry Committee, the Foreign Relations Committee, and the Small Business Committee, and since we'll go by way of seniority, we'll start with you then, Senator Bennett.

**STATEMENT OF HON. ROBERT F. BENNETT, A U.S. SENATOR
FROM THE STATE OF UTAH**

Senator BENNETT. Seniority is determined alphabetically in this circumstance.

[Laughter.]

Mr. DREIER. Right.

Senator BENNETT. All right. Thank you very much, Mr. Chairman. I'm delighted for the opportunity to be here, and give you a very quick report from the hustings if I may, not that you're unaware of that, but having just come off of an election circumstance, I found that the issue of Congressional reform was a very hot political topic.

Indeed, whenever an issue would come up—budget, health care, whatever—I found that the one thing I could say that would immediately get nodding heads, regardless of the nature of the crowd, would be to say, "We have a deficit problem because we have a Congress problem, and until we solve our Congress problem, we won't get the deficit under control." Virtually everybody would agree with that.

The political guru who analyzed the Utah Senatorial Campaign said, "Whoever can come across as the agent of change will win this race," and interestingly enough, every Republican ended up campaigning in favor of change, and once the general election started, my Democratic opponent campaigned in favor of change.

In the House race, created by Wayne Owens' decision to step out of the Second Congressional District and challenge for the Senate, I carried the Second Congressional District as a Republican campaigning for change, and Karen Shepherd carried the Second Congressional District as a Congressional Democratic candidate campaigning for change.

Indeed, on the issue of Congressional reform, her literature and mine were virtually interchangeable, so we have a very strong mandate, as far as our voters are concerned, to be here today and talk about, not only the concept, but, I think, specifics about the way Congress can and should change.

If I may draw for just a moment on my background as a business consultant, I want to make a general point prior to getting into some of the specifics that I'd like to talk about.

I've made my living helping business organizations change. Now there are some financial things you look for, but one of the basic principles that applies to a business challenge is to recognize that when something is going wrong, it is almost always, almost always, the fault of the system rather than the employees, rather than the people.

If you want to make fundamental changes and corrections in a business that is going wrong, you change the system first. I can give you lots of business examples to prove that, but I think the most dramatic example will come from our friends in the former Soviet Union.

Here is one of the richest nations on earth, in terms of natural resources, blessed with a population of intelligent, vigorous people who have made an absolute disaster of their lives and their country because they have been living under the wrong system, and indeed, when they exported that system to Eastern Europe—specifically, if you want an image, the Germans—you see the dramatic difference between the West Germans and the East Germans, the same kind of people stemming from the same ethnic base, with one a spectacular success and the other a spectacular failure because of the system.

So as we address the question of Congress, I think we have to say that the failures of Congress are not necessarily due to the failures of the people who have been here, although at campaign time we say differently.

[Laughter.]

Senator BENNETT. But because of the failures of the system, and I could go on and give you a management lecture on benchmarking and total quality management and all of the things that I would say if this were a sick corporation, but I would stop just with that point and say we need to change the system, and then go on with a specific suggestion that I have to offer to this Committee.

First, a little brief personal background so you can see where I'm coming from in terms of my reaction to this. It's been just 30 years ago that I came to Washington as a Congressional staffer. I've served in the staff on both the House and Senate side. I've served as Campaign Manager for two successful senatorial campaigns. In the Nixon Administration, I was the head of Congressional liaison at the Department of Transportation, and therefore, worked with both Houses of Congress in an attempt to get the President's program through.

I come back now, 18 years after having left Washington, as a new Member of Congress, to find many things changed and many things that haven't, that should have.

The one thing that has been a constant through that 30-year period and is getting worse, and that I discover is much worse now than it used to be is the gridlock caused by overlapping jurisdictions.

If I were to summarize the thing that people want changed most, I think it is the issue of gridlock, and it comes not necessarily from different parties controlling different portions of the government, but as much as anything, it comes from the overlapping jurisdiction problem within the Congress and the failure of the Congressional system to reach closure on an issue.

For example, I've been told on the Energy and Natural Resources Committee on which I now sit that it took them 10 years to get a comprehensive energy bill, and that it involved the jurisdiction of as many as 12 different committees in the process.

We see the President's program that is before us now, and we're being urged to pass it. Wonderful. Who's going to be responsible for it? The Finance Committee? They're going to have to deal with—I'll use Senate terms here, rather than House as well—the Finance Committee's going to have to deal with the tax side of it.

On the Energy Committee, we're going to have to deal with the user fees and mining royalties. The Education and Labor Committee is going to have to deal with health care. It's been the Budget Committee that's put together the Reconciliation Bill, and when it's all over with, who's going to have been responsible and who's going to have been focused?

We're told if we break the package apart, it will fall apart. The very system of Congress is going to break it apart and pull it apart because of overlapping jurisdictions, so that brings me to the suggestion that I'd like to make.

Coming out of my experience in business, as well as my experience here in the Congress, we have seen in the Congressional session, the creation of an extra Congressional organization called the Task Force. We, Republicans in the Senate, have two. One on economics, one on health care.

The Economic Task Force is Chaired by Senators Domenici and Packwood, who are the ranking Members on the Budget and Finance Committee respectively. The one on health care is Chaired by John Chafee, Senior Senator from Rhode Island.

We meet weekly, and we discuss the issue. Freshmen like Paul Coverdell and I have any equal voice, and bring to those task forces the expertise, background, and understanding that we displayed to the voters in the recent election. The rules are relaxed, the atmosphere is focused on solving the problem, there's no worry about overlapping jurisdictions.

Mrs. Clinton has adopted the same approach to health care. She's formed a task force outside of the government, outside of traditional patterns to focus on the issue and bring together the very best minds she can find to see if they can't find some solution to it.

All right. With that background then, consider the following scenario, and it is admittedly fuzzy because it's an idea, but I think it's an idea that has some merit and it can become more rigid if this Committee decides to adopt the idea.

Congress convenes on the first Monday in January after the new year—the first Tuesday, whichever day, elects its leadership on the first day, and then for the next 15 days, debates this Congress' agenda. There is no other business that will be in order, and the purpose of the debate in that 15-day period is to come up with a prioritized list of the major problems facing the next Congress.

It will be debated, it will be voted on, it will be accepted, and let us say, using this year as an example, it comes up with five major national priorities—health care, the deficit, fill in the other three. We'd let the Congress debate and decide what they are.

Congress says, "All right. For the next"—for sake of illustration—"15 months, we will divide the Senate"—I'll stick with the

Senate because that's where I serve—"into five task forces"—one for each of these five major priorities that we have created. Each Senator can serve on one. There will be no overlapping activity on the part of the Senator, so if a Senator decides to devote the next 15 months to solving the deficit reduction problem, he focuses on that exclusively. If he decides no health care is the area where he wants to be, he focuses on that exclusively.

The traditional partisanship and the traditional committee turf issues become blurred. As Senators volunteer for these committees, ultimately they would be appointed by their leaderships, but they would jockey back and forth for opportunity to serve there. Once the task force was formed, if we take the numbers I've talked about, there would be 20 Senators on each task force.

Those 20 would elect their own leadership from among their own membership without respect to seniority or party. It might be that they would decide that Senator Hatfield of Oregon might know more about the issue than any other Democrat serving on that particular task force, and the Democrats on that task force might be satisfied that his leadership would be fair and that the focus would be on getting a solution to the problem.

For the next 15 months or whatever time limit is set, the task force does its work, drawing on whatever expertise it feels it needs, from think tanks downtown to standing staff from the standing committees, to experts from the Administration or going out and hiring somebody new.

At the drop dead date, the task force must report back a proposed legislative solution to the problem assigned to it, and this solution would then be assigned to a standing committee of the Senate—one standing committee of the Senate. It would be previously determined that standing committee X would be the one to which the task force would report.

That standing committee then has the balance of the session to hold traditional hearings in a traditional bipartisan, somewhat adversarial setting on the proposal of the task force, and decide to either report out or not, a bill to the full Senate which would then pass or defeat it before going home for final adjournment.

Items that did not fall into the five areas that were determined in the 15-day priority setting session of the Congress would proceed to the standing committees in the normal fashion, but it would be understood that the Senator serving on his two standing committees—and I would limit a Senator to two standing committees plus one task force—would handle those items in addition to his duties on the task force, so that at the end of the session the Senate would have before it, solutions hammered out by its five task forces on the five major problems that it, itself, determined were the priorities that the country faced in the coming 2 years, and then in the traditional fashion, the standing committees would have heard and acted.

That, Mr. Chairman, would more appropriately approximate the kind of fact-finding and problem-solving procedures that you find outside of the Congress, and I think it would break some of the institutional gridlock that exists within the Congress. I realize it's a fairly significant departure from past procedure, but I repeat what

I said at the opening, people want significant departures from past procedure.

Thank you. I'll respond to any clarifying or horrified questions or comments.

Mr. ALLARD [presiding]. Thank you very much, Senator Bennett, for your comments. If it's all right with both of you, I'll go ahead and take some testimony from Mr. Coverdell until we get other Members—we're in the process of voting here on the House side right now, and Representative Dreier ought to be back by the time you finish, so why don't you go ahead with your testimony, and we'll ask you both questions.

Senator BENNETT. We understand the process.

Mr. ALLARD. Yes.

STATEMENT OF HON. PAUL COVERDELL, A U.S. SENATOR FROM THE STATE OF GEORGIA

Senator COVERDELL. Thank you, Mr. Chairman. I'll be reasonably brief. I'm honored to have been invited to appear before the Joint Committee on Organization of the Congress, although it might be classified as an oxymoron to have somebody who's been here 86 days, commenting on the procedures that are routed in over 200 years of institutional history.

It may come of some surprise at home and to this Committee that I've fundamentally found, at least at this junction, a great deal of the process that is correct. Speaking from the Senate side, I have been pleased with the ability for there to be appropriate debate and airing and dialogue of issues that are critical to our Nation.

I think the rules of the Senate, which are protective to minority views, have been exceedingly important. I'm not as familiar with the rules of the House, but I am under the distinct impression that they are less guarded as they relate to minority participation. I think the country is well-served despite the intensity of contemporary argument by a system that guards the ability to debate and fully air, and that there's sufficient power on the part of minority to assure that that debate occurs.

I would assume that the Committee, while its charge is dealing with the nuts and bolts, the T's and I's of the rules of the institution—the internal control so to speak—nevertheless, by nature, must be impacted by external perceptions of the body, which don't necessarily correspond.

I was intrigued when Senator Bennett and the other new Members of the Senate on our side of the aisle first met. None of us, I don't believe, had ever met one another. I don't believe there had ever been a discussion between any of the five individuals prior to their arrival in Washington for a short session, and we visited about the messages of the campaign, and what was striking, whether one of the individuals was from Utah or Idaho or New Hampshire or Georgia, was the similarity of the language, and it dealt with issues that confront the Congress, some of which fall into the category of the immediate charge of the Committee, and other which maybe do not, but the citizenry would believe do.

I'll give you an example, the balanced budget amendment. I'm sure there are those on the Committee that perhaps, do not see that as part of the organization of the Congress, but the citizens of our country see that as a discipline or rule, a part of the process of the Congress for which there is overwhelming support, and do not understand why the Congress resists this technical discipline, in terms of an issue that's so important to them.

Right under that would be the line item veto, which they would see as an expression or a tool of process. While we on this Committee or you on this Committee might not see that under your purview, thousands and thousands of Americans see it as part of the process by which we govern ourselves in the Congress.

Without exception, and I'm sure there are some, there was almost unanimous disdain for a Congress that would impose rules on the citizens of the country that it chooses over and over not to follow itself. I don't believe I was in any session of any group of citizens for which this was not raised by someone in the gathering—a failure to understand why an institution of this standing, of this importance would have a series of items that it imposed on businesses and citizens of the country, but chose not to adhere to itself.

A very sensitive subject in the halls of the Congress is term limits. All of these individuals in one way or another had spoken in favor of the devise. There are many, many arguments alluding to our 200 year history that could, with merit, debate the adoption of term limits.

I'm personally convinced that when so many states have adopted it, when it goes on the ballot and there's such overwhelming support, it is a symbolic frustration being expressed to the institution of the Congress. I think those of us who are Members of the Congress, whether we've been here for many, many years or 86 days, recognize that there's probably not going to be a rush to impose term limits, but I do think there needs to be a response to the issue, or the anger will only mount.

If term limits are not the answer, then the Congress has the responsibility to step forward with other devices that assuage this discontent, other modifications in the process that make people feel that there is an openness and there is a freshness and there is an ability for new ideas to be heard here. Whether it's limitations on terms of leadership among committees or other types of devices, I think the Congress is going to have to respond to this and cannot stonewall it. It's not going to go away—this frustration as is embodied in the call for term limits.

This next item does relate to the rules of the Congress, and that is mandates—the growing nature of the institution to impose on other entities—school boards, counties, cities, states, businesses—impositions or requirements or criteria that they must fulfill, but for which the Congress takes no financial responsibility. It simply issues the order and then relies on someone else to carry it out.

Basically, we've begun to appropriate the property tax base. That's what really is at the fundamental bottom of federal mandates.

Mr. DREIER [presiding]. And we, of course, don't provide the money with which we require these people to make the—

Senator BENNETT. And that's the whole point. We don't believe in it enough to fund it, we only issue the instruction that it should be.

Now, there are several suggestions in the Congress to obviate mandates—don't have them at all. I don't think the likelihood of that is near at hand, but I do think we should impose upon ourselves an additional burden to more nearly assure ourselves that it is of compelling national interest to create the imposition, and that might be a two-thirds vote or a super majority vote or some other manner by which we guarantee to the public at large that the mandate is of a broad, national, compelling interest before we impose it.

Another unpopular subject, but one I think has to be addressed either by this Committee or the Congress itself, is the effect on the public of a raise or a perceived raise occurring for the Members of our body, for which we do not vote. That single issue created more animosity, in my judgment, than almost any other that I confronted.

That is a reasonably new concept, I might add, if we go through this 200-year history I referred to. The legislative bodies in contemporary times have sought devices by which these raises or benefits can come to them, for which they do not actually vote. It is occurring in State legislatures as well, it's not just the Congress. It's a trend that will alienate. It's a very, very difficult subject—one that's exceedingly difficult, but I would just contend, cannot be ignored.

An 86-day perception—you know, I was with the President a couple of weeks ago when he spoke to the Republican Members of the Senate, and he said something that has stuck with me since. He said—and this is almost a direct quote—“We go to such lengths to prevent something bad from happening, that virtually nothing good can happen,” and I would venture to say—in fact, as I walked out of my office, I had three Members of our staff all embroiled in a situation as to how to legally purchase coffee, and I think that we're in danger of so limiting flexibility of the Members of the Congress, because of isolated abuse, that we are regulating ourselves into mediocrity.

I'll give you another example. We decided to hold fact-finding missions in our State of the various economic engines—in our State, it's carpet and poultry and timber and others. We had to charter an aircraft for myself and staff to get to the hearing on time. There was an extra seat, so I said, “Well, we should invite an individual that's been working with us on a volunteer basis to accompany us and to hear the fact-finding, only to find that an individual couldn't accompany us without having to purchase—the old routine of a first class ticket plus a dollar or something like that—so the process begins to choke down very reasonable involvement of other people.

I'm not an expert on this, but I see our office being tied up with an excessive amount of regulatory burden, just as I did as a businessman in the private sector.

I'm going to close with those remarks, and simply say that the institution still is held in very high regard. I detected this as I went around and among our State. They still see this as the keeper

of democracy, and hold the institution in very high regard, but there are clouds gathering, and I think they cannot be ignored, or we will lose this very important ingredient of consensus that allows us to govern.

I appreciate again, the opportunity to be with you.

Mr. DREIER. Thank you very much, Senator Coverdell, and let me express appreciation to both of you. The people of Utah and Georgia are both very fortunate to have you representing them in the United States Senate, and the ideas which you have brought forward are very refreshing, and in your testimony—the testimonies the two of you have provided have really gone into a broad-sweeping way with many issues, from talking about unfunded federal mandates, to the emerging democracies of Eastern and Central Europe.

It seems to me that you have really done a lot, and I should say to you, Senator Bennett, that I'm rather struck—after listening to your testimony, it's going to be very frustrating. I serve on the Speakers Task Force, so I'm the parliamentary institutions of Eastern and Central Europe.

We are making an attempt to provide recommendations from the U.S. Congress to the parliaments in Eastern and Central Europe, and I think that having heard from you about the problems that we face here, maybe we shouldn't use everything that we have today as a model.

[Laughter.]

Mr. DREIER. In fact, one of the things that I've quipped in the past is that, with some of the economic challenges that we face here, we may, at some point, be using Poland as our economic model for the future. I hope we never get to that point.

I've asked all of the freshman Members of the House and Senate who have come before this Committee, as I did House Members when we, in the Rules Committee, were considering the resolution that established this Joint Committee on the Organization of Congress, whether or not they would be willing to give up a committee. I suspect, from having heard your extraordinarily interesting proposal, Senator Bennett, that it's something that you would be interested in, but to date, not a single freshman, Senator, or House Member has said that they would not be willing to do that.

We know that many Members like to serve on many committees and subcommittees, in large part, to get their press releases out and to let it be stated that they're working diligently on a wide range of issues, but we all know—when Senator Boren said a few minutes ago that apparently, some Senators serve on as many as 23 subcommittees—apparently, the average is 13 in the House.

We still have many committees and subcommittees, and people simply go to the room, have their presence recorded, and then they rush off to another hearing and do about the same, so my question to the two of you is—and I'm not going to ask you to state which one you would give up because it might create some political problems for you—but would you be willing to give up one of the committees and subcommittees on which you now serve?

Senator BENNETT. Of course.

Senator COVERDELL. Absolutely.

Senator BENNETT. Of course. That's part of the problem.

Senator COVERDELL. I would go a step further. I had the option of selecting, as did Senator Bennett, another A committee, and rejected it on the premise of the institution and our own workload, so—yes, I would be willing to give up committee membership. Certainly the subcommittee system needs a good deal of looking into—I mean, your committees aren't working as a whole committee. They're all broken down into somewhat meaningless subcommittees.

Senator BENNETT. A side comment on that—the committee assignment that we all asked for as freshmen, and that none of us got was Appropriations. There were a number of vacancies this time and we entertained some dream of getting on Appropriations, but quickly, our senior Members disabused us of that, but in the process, the Appropriations Chairman and ranking Member, Senators Byrd and Hatfield, said, "You know, with all of these vacancies on Appropriation, this is a great time for us to cut the size of Appropriations—not let anybody new on it, just take all of the vacancies and reduce the committee, and the reason we want to do that is because we can't ever get a quorum. They're so busy doing other things, we can't ever get a quorum of the full Appropriations Committee, and if you cut it down, it will be easier to get a quorum because we'll have fewer Members."

Now the Appropriations Committee seat being a sufficient plumb, that didn't fly and the vacant seats were filled with everybody promising, "We will come. Keep the committee seats where they are, keep the number of available slots, and we promise we will come," but I think if you ask Senators Byrd and Hatfield, they're not too hopeful that the new people will be any more diligent than the old people were.

Mr. DREIER. Let me move into the question on federal mandates which you raised, Paul, and that is—I know that when I campaigned with you through Georgia, many people were talking about—not on mandates, on compliance—Congress complying with the laws we impose on the rest of the people—how do you propose that we address this separation of powers question, which is one which continues to come up here?

I'm very sympathetic with the fact that we consistently have exempted ourselves from so many of these laws which we impose on the rest of the American people, but there is this question of passing it on to the executive branch and the separation of powers. Do you have any thoughts on that at all?

Senator COVERDELL. Well, David, as you know, I'm not a lawyer and don't know the Constitutional ramifications of it. We basically have already broken across that threshold. Because of outside pressures, we are already subjecting ourselves to some of these. We've done it rather selectively.

I would suggest to you that we have basically, already crossed the Rubicon and we are now faced with ourselves looking selectively as an institution that is seeking to protect itself in an unfair manner.

It raises another question. All of the issues I raised—term limits, exemptions—we can intellectually, as an institution, formulate enormous and very reasoned argument against any of the adjust-

ments, but they'll only be heard by us. The public at large simply won't accept it.

Mr. DREIER. Well, that's one of the reasons that we have made the case on this Committee that we want to come forward with broad-sweeping reforms. We know the American people are not about to accept simply cosmetic changes in the institution, and we want to do some very strong things.

Clearly, one of the most sweeping proposals that has come before us has been the one that Senator Bennett outlined, and I'd like to ask you to, if you could—while you were very specific in your testimony, and I appreciate that—if you could provide, possibly with your staff, a more detailed outline of your proposal, and I'll look forward to those first 15 days of debating.

Senator BENNETT. Surely.

Mr. DREIER. And the top five issues that we would face here, and I think that that should be something that we would consider here.

Senator BENNETT. Yes. I just put those time limits on for sake of illustration, and they're by no means cast in stone, but what it says is—putting it completely in a corporate circumstance—you're the new CEO of a corporation, and the first thing you do is take your top management off to a retreat and say, "What are our most pressing problems?"—and the old 80/20 rule that applies in business, which says you spend 80 percent of your time on 20 percent of your problems, or the other 80/20 rule—I mean, the 80/20 is a wonderful ratio, it happens all the time—20 percent of your people cause 80 percent of your problems.

[Laughter.]

Senator BENNETT. The most rigid discipline that a manager has to impose upon himself or herself is prioritizing, and we don't prioritize at all in Congress. We say, "Well, this man is senior, so he gets to have his thing taken up first, whether it really matters or not," so you say, "Okay. The first thing we do is go off and determine what it is we have to get done in the next 2 years that is of the first priority." Then we organize to get it done, and we put a time limit on it.

I put 15 months. It could just as easily be 5 or 6 or whatever—and maybe part of the prioritizing process is the determination of the time limit—but you say, "We've picked you guys because you know more about this, you have an interest in it, you have some expertise and background in it, and we give you the assignment to come up with a solution, and we give you a date certain to come back to us," and these are the techniques of modern problem-solving.

Then recognizing, as Paul very appropriately said, the advantages of the 200 years of history in this institution—you have their work product, go back into the standing committees, but you get rid of the overlapping jurisdiction problem by saying, "This standing committee will hear the results of this task force," and you have the checks and balances that exist in the standing committees, but in the task force you get away from the partisanship.

If I may expand just a little bit—I've been through an experience like this. I was appointed Chairman of the Strategic Planning Commission for Utah schools by the Utah Board of Education, and after we produced our report, the State legislature realized that there

had never been a mission statement for Utah schools ever drafted in the history of the State. We came up with the first one.

There had never been a strategic vision. There had never been an attempt to prioritize. They decided, you know, we need to do this, so fortunately, the State legislature, who had clout—we didn't—took up the cudgel after we filed our report and laid it down, and convened a group that included the President of the Utah Taxpayers Association, who is the most red hot advocate of school choice and vouchers you will ever meet, and the President of the Utah Education Association—the teachers union—who says we will have vouchers in the State over her dead body, and put both of them in the same room, along with representatives of the business committee, the legislature, so on and so forth, and we hammered out a strategic plan for the State, which if followed, can bring Utah schools into the 21st century with a roaring momentum.

Our work product was reported to the State legislature, who then had all of the traditional checks and balances, Republicans, Democrats, minority, majority kinds of things to deal with. The legislature could never have produced that work product. It took the focus of the task force to see that that happened, so it is a model that is being used in business, it is a model that is being used in community activities, but it's one that Congress has never considered, and that's why I put it on the table.

Mr. DREIER. Well, obviously, you bring a very important expertise here, and I do hope very much that you will put in writing your plan—

Senator BENNETT. We will be very to do that.

Mr. DREIER. And submit it so that this Committee will have a chance to look at it.

Mr. Allard?

Mr. ALLARD. Thank you very much, Mr. Dreier, or Vice Chairman of the Committee. You've shown some exemplary leadership of the Committee, and I appreciate all that.

Mr. DREIER. That's because there's a slight void here. That's the reason that I give.

[Laughter.]

Mr. ALLARD. Senator Coverdell and Senator Bennett, you both talked about change and how important it is to do what we can to reduce the regulatory burden, not only upon our personal lives, but also here in the Congress, and I think you did a very good job of articulating that.

I'm a former businessman just like yourselves. I was a small businessman. I was a veterinarian, and very sensitive to the burden of government on my business, and on my personal life as a matter of fact, so that's how I got involved in politics and got very concerned about the exemption provisions where Congress exempts themselves from the same rules and regulations that everybody else has to live under.

But despite the fact that we get a lot of talk about exempting Congress, even this session, we passed a piece of legislation, and again, we exempted Congress already. I don't know how we get that message across to our colleagues here that the people out there simply do not like that happening and that things have to

change. If you have any suggestions, I certainly would like to hear any comments that you may like to make on that.

Senator COVERDELL. Coming back to David's question, maybe we ought to go back and reflect on the federalist papers. I believe it was Madison who—but we need to certify it—who laid out—

Mr. DREIER. It's always safe to do that when you're talking about the federalist papers, since Madison wrote most of them.

[Laughter.]

Senator COVERDELL. All right. I think it was Madison who warned the republic from a lawmaking institution that would pass laws for citizens that it would not follow itself, and maybe in there is routed some of the argument, so to speak, that can be brought to bear on the separation of powers, because it goes all the way back to the original formulation of the country.

Senator BENNETT. Let me comment on the separation of powers because I am religiously devoted to it. I think it is one of the bulwarks of our liberty. I think it is being used as an excuse, rather than a genuine argument in this circumstance.

We have an EEOC requirement in the Senate. It is imposed by a Senate committee that has been created by the Senate that will check to make sure that we do not discriminate on the basis of race or religion or national origin or what have you, and it is a creature of the Senate.

It can impose exactly the same rules that would be imposed on you, Mr. Allard, as a veterinarian, and solve the separation of powers problem very nicely. I think people who raise that as a barrier to say, "Oh, we can't possibly put OSHA regulations on the Senate"—I was told this on the Senate floor the other day by one of my colleagues, who shall remain nameless. He says, "We can't possibly put OSHA requirements on the Senate because the Hart Building doesn't qualify."

The Hart Building wouldn't pass any OSHA standards. We'd have to build a whole new building if we did that. People wouldn't stand for that.

Mr. ALLARD. But they don't hesitate to impose that on somebody else that's not in Congress.

Senator BENNETT. That's the point.

Mr. ALLARD. That's it exactly.

Senator BENNETT. That's the point. It may well be, if we went to Senators who are leading the fight for OSHA, and suddenly said, "By the way Senator, you can't have a file cabinet there. You can't store"—now we're talking hazardous waste here—"You can't store Joy dishwashing detergent underneath the sink in your Senate bathroom because that's hazardous material and must be in plain sight at all times, and we're willing to fine you \$1,000 for putting Joy detergent under your sink"—which OSHA has done to a private business, I'm told.

Mr. ALLARD. In Florida.

Senator BENNETT. Then maybe the Senator says, "This is nonsense." At which point we say, "Yes, Senator. It is nonsense," and there will be a great learning experience.

But to try to hide behind the separation of powers doctrine is, I think, an excuse rather than a reason.

Mr. ALLARD. Well, I couldn't agree with you more. When it's appropriate, some Members of Congress will say, "Well, it is a separation of powers," yet on the other hand, they will not hesitate to pass a piece of legislation that grants rule making authority to the executive branch.

Every time we pass a piece of legislation that grants rulemaking authority to the executive branch, in a way, we are transferring that legislative authority on over to the executive branch, and I think you make a very good point in your comments.

I'd also like to bring up the issue of term limits. As one of you mentioned in your testimony, it is a popular issue. It certainly was a popular issue in my State from Colorado. We were the first State to pass term limits on Congressional representatives. We have been followed since then with some other states.

Now there's some 15 states that impose term limits, and I'm anxious to hear what your comments might be as far as term limits being applied to the chairmen of your committees in your body.

Senator BENNETT. I began the campaign opposed to term limits. I'm a student of the constitution. Political science is my academic background, and I can make elegant political science arguments as to why term limits are a bad idea and are in violation of some of the doctrines of the Constitution.

The more I got into it, the more I realized that those elegant arguments are no longer relevant to the actualities of today's political circumstance, and ended up in the campaign, a strong proponent of term limits, but when I was in the posture of opposing term limits, I was endorsing to great huzzah—huzzah, do it again kind of responses from the audiences—the concept of limitation of power on the part of committee Chairs, term limits on committee Chairs.

Let me describe to you what that does, for those who oppose term limits, for the Congress as a whole. It legitimizes their argument that the people ultimately have the right of imposing term limits at any time they want, because it removes that enormous power of the senior committee Chair to abuse his position and still say to his constituents, "You can't afford to turn me out."

Would we find certain committee Chairs—again, who shall remain nameless, but who have been somewhat notorious in the public press for their personal peccadilloes—being reelected if they had to say to their constituents, "I have outlived my time as chairman of one of the blue ribbon committees, and I'm now going to go on Merchant Marine and Fisheries to represent your interests?" The members of that particular State might say, "You know, we'd like to try a freshman for a change."

It would make it much more palatable to say the people really can remove somebody, because now a Senator of either party—and I will pick an example lost in history, so there's no pejorative suggestion either way as my example—do you remember Carl Hayden? He was elected to the Congress when Arizona achieved statehood, and remained a Member of the Congress, either House or Senate, until his 90s.

Carl Hayden was the Chairman of the Senate Appropriations Committee. He never set foot in the State of Arizona after how ever many years of winning reelection. He became senile, so his administrative assistant did virtually all of his work.

I remember walking down the halls and seeing him pass me in the halls. He didn't recognize anyone he saw, but he was the Chairman of the Senate Appropriations Committee, and the State of Arizona could not run the risk of defeating him because of the tremendous power that was represented in that position.

Now finally, he was replaced by Barry Goldwater, when Goldwater, coming off his presidential bid, ran for the Senate the second time, but it took someone of a presidential candidate stature to finally convince Carl Hayden that the time had come to step down.

Now I'm not denigrating his contribution to the Senate. I think he was an excellent Senator and he did an excellent job overall, but he reached the point where his seniority and his longevity—were the only reasons for keeping him, long after he had ceased to make any kind of contribution out of his own intellectual powers.

Going back to my suggestion when I said in the task force the committee Chair should be chosen by the task force, I think we ought to do something about committee Chairs being chosen by the committees and not being automatic, even in the standing committees.

Mr. DREIER. I think maybe this even becomes more important with our discussion about reducing the number of committees. I happen to be a strong advocate of reducing the number of committees in the Senate that we have, and when you do that, you do concentrate power, and I think even this issue of term limits becomes even more and more important to sort of relieve some concerns that some Members may have with this concentration of power.

With term limits on chairmen, at least we can assure the Members that there will be some turnover, and that there won't be this concentration of a power that has some Members so concerned.

Paul?

Senator COVERDELL. I directed an agency of our government that perhaps is the only example of the government agency in the world that has a term limit.

Mr. DREIER. And you did an excellent job at it, I should say.

Senator COVERDELL. Well, thank you. I appreciate that. But we had a term limit on all staff of 5 years. There were two exemptions at the director's prerogative that could have gotten somebody to 8½ years, but then that's it.

The reason it was instituted by the founders during the Kennedy Administration was to keep the agency alive and vibrant, and not to become burdened with standing bureaucracy. I think, by and large, it worked.

I would have to say that even with that innovation, it was difficult to make the agency accept change, but it could be done. You could steer that institution.

As we know, many of the governmental agencies in this—you know, new administrations come and go, and the agency just continues to move in its direction. In a sense, the Congress does the same.

Opposition to term limits seems to suggest—and people are prone to do this—that somebody's indispensable. No one's indispensable, and in a Nation of 250 million plus, the talent in this country is beyond even description, and the ability to cycle new people into

this device with new ideas and new concepts, I think, would be enriching to the Nation, both at the elected level and at the staff level.

I think all of these suggestions that press towards innovation and openness will probably benefit the country greatly.

Mr. DREIER. Thank you very much, Mr. Allard, and let me say to the two of you that you are the two closing witnesses before the Joint Committee on the Organization of Congress before we go on to the Easter work period, and I want to thank you for keeping some very creative ideas before us.

I want to assure you that although there aren't many other Members here, we will insure that your testimony will get before them, and certainly, your proposal, Senator Bennett, will be one that will be considered.

I appreciate again, very much your taking the time out of your schedule to be here, and the Committee stands adjourned.

[Whereupon, at 1:59 p.m., the committee adjourned, to reconvene at the call of the Chair.]

APPENDIX

TESTIMONY
U.S. SENATOR WENDELL H. FORD (D-KY)
Joint Committee on the Organization of Congress
April 1, 1993

Mr. Chairman, distinguished committee members, thank you for inviting me here today. As a member of the committee myself, I'm aware of some of the many distinguished and knowledgeable people who have already shared their ideas on congressional reform with you and it's an honor to add my comments.

This committee was created with the sole purpose of looking for ways to make Congress more efficient and more accountable to the American people, including procedural changes and reducing the number of committees. I joke with folks back in Kentucky that only Congress would create a committee to eliminate committees...

But seriously, I'm here today to talk about implementation of a two-year budget cycle. This is an issue I've been championing with my colleague, Senator Roth, since 1981. I believe in its potential as strongly now as I did then.

Putting the federal government on a two-year budget would accomplish the mission of efficiency and effectiveness set forth by this committee.

And the two-year budget is more than a good idea...it's a tested idea. When Senator Roth and I went before the very first joint hearings on budget reform, the two-year budget was a new notion here in Washington, but it was already standard practice in 22 states, including my own.

I came before those joint hearings as a former governor who had first-hand experience with a two-year budget. As Chairman of the Rules Committee, I come before you today having first-hand experience with a two-year budget on the committee level.

When I was Governor, two-year budgeting helped us to lay out a master plan for the entire state. And that master plan enabled agencies, local governments and constituency groups to do long-term planning. Planning that led to greater efficiency, over-all cost savings and equally important, peace of mind about future funding.

In 1991, after Senate committees had experienced one two-year budget cycle, Senator Nunn testified before the Rules Committee that the two-year committee budget "allowed us to spend more time actually administering our budget and has given us greater flexibility in planning our activities and meeting unforeseen requirements."

Senator Nunn also lent his support to putting the federal government on a two-year budget cycle, calling failure to do so a missed opportunity that would "save the military and the taxpayers a great deal of money because they would be able to plan in advance."

And that, my colleagues is what this proposal is all about. I did not come here today to sell this as a new gimmick guaranteed to reduce the deficit. I came here, to offer a management tool. And while it won't replace the tough decision-making necessary for deficit reduction, it will make our work on the deficit and the federal budget more efficient and more effective. And that is precisely the goal of this committee.

A two-year budget not only provides for more long-term planning on all levels of government and eliminates redundancies in the budget process, it also provides much-needed time for program oversight. Oversight that can help prevent another Savings and Loan crisis. Oversight that can target instances of waste or abuse. Oversight that can save tax dollars.

The concept is simple. Congress would enact a two-year concurrent budget resolution, two-year appropriation bills, and a two-year reconciliation bill in the first session of each Congress. The second session would be devoted to authorizations and oversight.

Obviously, any proposal must provide the flexibility necessary to meet changing circumstances and national emergencies. Any proposal must keep in check the delicate balance of power now in place and any proposal must preserve Congressional appropriation powers as set out by the Constitution.

I believe all of these are legitimate points. But I also believe a biennial budget can be crafted that accommodates these concerns.

In his economic address before Congress, President Clinton said that it is not enough to simply cut government, we must rethink the whole way it works. By enacting a two-year budget cycle, Congress can meet the President's challenge to create greater government accountability to the American people.

Again, I thank you very much for this opportunity and I would be happy to take any questions.

TESTIMONY OF ERIC FINGERHUT AND KAREN SHEPHERD
CO-CHAIRS
FRESHMAN TASK FORCE ON REFORM

JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS

APRIL 1, 1993

Chairman Hamilton, Chairman Boren, Vice Chairman Domenici, Vice Chairman Dreier, and members of the Joint Committee on the Organization of the Congress, thank you for inviting us to testify before your committee again. We appear before you with the fruit of two months of hard work--a comprehensive set of far-reaching and ambitious proposals comprising the Freshman Democratic Reform Package.

When we appeared before you last February, we described the wide range of topics that the Freshman Task Force on Reform planned to consider. Over the past two months, the four sub-groups of our task force looked at literally hundreds of reform ideas--some old and some brand new. After extensive consultation with virtually all of our Democratic Freshman colleagues, we developed and subsequently ratified what we feel is a thoughtful package that touches on many important issues relating to the effectiveness, responsiveness and organization of the Congress. (At this point, Mr. Chairman, I respectfully request that a full text of our reform package appear in the record of this hearing.)

Our reform package includes 26 specific proposals which fall under four broad categories: campaign finance reform; limiting the role and influence of lobbyists; fiscal responsibility and congressional ethics; and effective and efficient government.

In developing these categories, we sought to renew the spirit of representative government in Congress. Specifically, we wanted to reduce the influence of lobbyists and special-interest groups, make government more cost-effective and efficient, and eliminate special privileges that create barriers between members of Congress and their constituents.

Campaign finance reform and lobbying reform are two linchpins of genuine congressional reform, and they are the essence of our reform proposal. In fact, our package calls for immediate action on campaign finance reform. Voluntary overall spending limits are needed to cap runaway campaign costs and alternative resources such as communications vouchers are needed as incentives to get candidates to agree to limits. We strongly endorse President Clinton's call to eliminate the tax deduction for lobbying expenses and recommend the use of these revenues as a funding source for campaign finance reform. Political Action Committees need to be limited in the overall contributions they can make to a campaign, and we need tough new guidelines on independent expenditures. Finally, our campaign finance reform

initiative includes tight new restrictions on soft money.

In both campaigns and in the halls of Congress, the role of special interest money has undermined representative government. Well-heeled financial interests exert an undue influence on the democratic process and tough new restrictions are necessary. In the interests of fairness and full disclosure, we strongly support legislation that will close numerous registration loopholes. In addition to these new registration requirements, however, we also support efforts to force itemized disclosure of lobbying expenses.

Several institutional reforms are needed if the Congress is to do a more effective and efficient job of legislating. Simply put, the Congress does not work as well as it should, and part of the problem is the way it operates. We strongly support the work of this committee to establish more rational standards for committees in order to reduce multiple committee referrals and to divide the Congress' work more evenly, and we urge the members of this committee to be bold and straightforward in your recommendations. And, in the event of the elimination of any committees or subcommittees, there should be an assurance that the subject matter which that committee focused on is not lost.

To assure that chairs are appropriately responsive to the Caucus, acting committee and subcommittee chairs should be subject to confirmation by the Caucus.

Many aspects of the current seniority system invite inspection. The 103rd Congress is the most diverse in history. We hope our leaders will reflect this diversity. Therefore, we direct the Steering and Policy Committee to make recommendations that represent the diversity of the Caucus and give members wide ranging choices for committee and subcommittee chairs.

In this age of unprecedented budget deficits, the Congress must take extraordinary action aimed at reducing its own spending, both as a contribution toward the total deficit reduction program and also as a method of winning the confidence of the American people. We recommend reducing legislative branch spending by 25% over five years. We believe that this dramatic reduction can be accomplished by streamlining the structure of the Congress, while preserving essential constituent services.

There is more to our report, and we invite full scrutiny of our efforts. But we ask our supporters and critics alike to use the same standards we applied in designing this package of reforms:

* Do the proposals strengthen the faith of the people in their government?

* Do they make the institution more responsive to average Americans and less so to special interests?

* Do they make the Congress a more effective policy making body and a more efficient tool to implement the public's will?

We think the answer to all of these question is yes, and we look forward to working with you over the coming months to bring about these and other much-needed reforms.

FRESHMAN DEMOCRATIC REFORM PACKAGE

MARCH 31, 1993

FRESHMAN DEMOCRATIC REFORM PACKAGE

March 31, 1993

When the Democratic Caucus met in early December to discuss Caucus and House Rules changes, several changes were recommended by the Caucus Committee on Organization, Study and Review; the Democratic Study Group; and many others. Widespread concerns about the image of Congress -- concerns underscored by the problems of the 102nd Congress -- led many Members to advocate systemic changes in structure and procedure.

Several new Caucus and House Rules changes relating to organization and procedures were adopted in December and January; many others were referred to the newly created Joint Committee on the Organization of Congress. Seeing the need for further reform, Freshman Democrats asked for the opportunity to prepare their own package of Rules changes. The Democratic leadership granted the Freshmen 90 days to prepare a proposal and promised it would receive consideration in a full hearing upon its completion.

We have taken this responsibility seriously and have thoroughly reviewed a wide range of issues. Our recommendations are ambitious and far-reaching. They also are politically feasible, achievable and sensitive to the Rules changes already adopted. In making these recommendations, we acknowledge and support the ongoing work of the Joint Committee on the Organization of the Congress. These recommended changes reflect the combined wisdom of new Members (many of whom ran on a platform of government reform) and the realities of the House as we have observed them during the early days of the 103rd Congress. Finally, our recommendations address concerns that affect not only new Members of Congress, but all Members of Congress.

We are pleased that the Democratic Leadership provided us with this opportunity, and we look forward to their support in working toward adoption of this package. By adopting these recommendations, this new Congress can provide many of the changes needed by our institution and our nation.

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We ask those who review this report, both from inside and outside the institution, to measure it by the same standards we applied in designing this package of reforms:

- * Do the proposals strengthen the faith of the American people in their government?
- * Do they make the institution more responsive to average Americans and less so to special interests?
- * Do they make the Congress a more effective policy making body and a more efficient tool to carry out the will of the people?

We believe this package, taken as a whole, will go a long way toward achieving these important goals.

The legislative branch of government has been the subject of criticism during the last several years. Given the level and intensity of this criticism, we believe it is important for us to restate some foundational principles that have guided our work on this reform package.

We believe the United States has the best form of government in the world; our democratic process is the envy of people everywhere. Congress has played an important role in the greatest democratic success story in political history, and this reform agenda is aimed at making the Congress strong, vibrant, self-confident and assertive. We reject so-called reform efforts that are little more than attacks on the institution. Our job is to strengthen not weaken, to build up not tear down, to empower not erode. We ran for Congress to be part of a great deliberative body that protects the rights of all people and represents diverse views, but also has the ability to respond fully and decisively to the call for change. This review and these recommendations are intended to help Congress live up to those ideals.

I. CAMPAIGN FINANCE REFORM:

The essence of our reform proposal centers on the relationship between the American people and their representatives. In election campaigns and in the halls of Congress, special-interest money consistently undermines representative government. Well-financed special interests use their considerable clout to distort the message or drown out the voices of the people. These special interests spend millions to influence legislation, yet they often evade requirements to register as lobbyists or to report how they use their money to get their way. They pour endless dollars into an apparently insatiable campaign finance system that makes campaigns more and more a contest of fund-raising skills and less and less a battle of competing ideas.

Campaign finance reform and lobbying reform are two linchpins of genuine congressional reform. Both are needed urgently, and both must be considered immediately. We view our role as catalysts for the changes that are necessary in these areas. As agents of change, we will push for early consideration – and adoption – of this reform agenda.

Campaign finance reform is a necessary first step in restoring confidence in the Congress. Voluntary overall spending limits are needed to cap runaway campaign costs. Alternative resources, in the form of such items as communications vouchers, are needed as incentives for candidates to agree to limits. We strongly endorse President Clinton's call to eliminate the tax deduction for lobbying expenses, and we recommend the use of the subsequent new tax revenues as a funding source for campaign finance reform. PACs need to be limited in the overall contributions they can make to a campaign, and we need tough new guidelines on independent expenditures. Finally, a campaign finance reform initiative must include tight new restrictions on so-called soft money.

Summary of recommendations:

- A) House consideration of campaign finance reform legislation by September 30, 1993;
- B) overall voluntary spending limits on campaigns;
- C) incentives in the form of alternative resources for candidates who accept spending limits paid for by, among other means, the elimination of the tax deduction for lobbying expenses;
- D) place new restrictions on the use of soft money by barring parties from using such donations for federal elections;
- E) limit PAC contributions;
- F) tighten restrictions on independent expenditures.

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II. LIMITING THE INFLUENCE OF WELL-FINANCED LOBBYISTS:

Citizens are guaranteed the right to petition their government, and the rights of citizen lobbyists must never be impinged. Well-heeled financial interests, however, exert an undue influence on the democratic process and tough new restrictions are necessary.

In the interest of fairness and full disclosure, we strongly support legislation to close numerous registration loopholes. In addition to these new registration requirements, however, we also support efforts to force itemized disclosure of lobbying expenses.

Campaign finance reform and lobbying reform go hand-in-hand. By stemming the flow of soft money, limiting PAC contributions, strengthening lobbying registration requirements and adding comprehensive disclosure standards, the public can be assured that special-interest money finally is being controlled in a meaningful way. This comprehensive approach means that the explosive growth of special interest money will be strictly limited and the money that remains in the system will, for the first time, be fully reportable.

Summary of Recommendations:

- A) strengthen lobbying disclosure and registration laws by closing registration loopholes, streamlining disclosure requirements, and providing uniform lobbying disclosure standards;
- B) require lobbyists to itemize expenses;
- C) eliminate tax deduction for lobbying expenses.

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III. FISCAL RESPONSIBILITY AND CONGRESSIONAL ETHICS REFORM:

Campaign finance and lobbying reform efforts are major initiatives that will fundamentally change the way the Congress does its business. But taken alone, they are insufficient to regain the public's trust. Fundamental changes were made following the much publicized scandals that rocked Congress last year. Closing the House Bank, changing oversight of the House Post Office, and establishing a new professional management system are all important reforms. We applaud the efforts of our more senior colleagues. Nevertheless, several other initiatives are needed.

Although Congress has begun the process of making sure it is subject to the laws it passes for the rest of America, the job is not finished. We believe Congress should be subject to all of the laws of the land and that an independent office of compliance must be established to assure adherence with the letter of the law. We realize that legitimate issues exist regarding the constitutionality of various enforcement ideas. Accordingly, we call upon the leadership of this body to immediately review the specific constitutional issues with respect to enforcement and bring a proposal to the full House as soon as possible.

Spurred on by President Clinton's program of deficit reduction, Congress has begun to cut government spending. In this age of unprecedented budget deficits, Congress must take extraordinary action to reduce its own spending, both as a contribution toward the total deficit-reduction program and also as a method of winning the confidence and support of the American people in this ambitious program of reinvigorating our economy.

Although many Freshman Democrats already have trimmed their budgets voluntarily, we recommend the reduction of legislative branch spending by 25 percent over five years. We believe this dramatic reduction can be accomplished by streamlining the structure of Congress, while preserving essential constituent services.

A handful of special rules and practices continue to reinforce the public's perception that Congress is an institution of privilege. We support efforts to restrict retiring Members' ability to purchase district office furniture; establish uniform standards and accounting methods for congressional travel; and limit federal funding for offices and staff of former House speakers.

This mix of congressional ethics reform initiatives gets at the heart of the public's mistrust of Congress. Reform is an ongoing process, and we will be vigilant in ensuring that no existing privilege is abused and allowed to harm this institution in the future.

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Summary of recommendations:

- A) subject the Congress to the laws it passes and establish an independent Office of Compliance to ensure the enforcement of these laws;
- B) reduce legislative branch appropriations by 25 percent over five years, provided that the reduction plan shall avoid cuts in staff who provide constituent services;
- C) restrict retiring Members' ability to purchase district office furniture;
- D) establish uniform standards and accounting methods for congressional travel;
- E) limit federal funding for offices and staff of former House speakers.

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IV. EFFECTIVE AND EFFICIENT GOVERNMENT:

Although not often viewed as important by the public and the press, several institutional reforms are needed if Congress is to do a more effective and efficient job of legislating. Simply put, the Congress does not work as well as it should, and part of the problem is the way it operates. We advocate a series of changes that will make the Congress a better deliberative body and more efficient in passing legislation.

We strongly urge a major reorganization of the sometimes haphazard committee jurisdictions. Establishing more rational standards for committees will reduce multiple committee referrals and divide the Congress' work more evenly. We strongly support the work of the Joint Committee on the Organization of the Congress in this area, and we urge the members of this committee to be bold and straightforward in their recommendations. In the event of the elimination of any committees or subcommittees, there should be an assurance the subject matter which that committee focused on is not lost.

One of the biggest frustrations we have as new Members is our schedules. We feel unproductive as we are torn between attending committee meetings or the sessions of the House. The manner in which the House operates makes us feel incapable of fully engaging ourselves in the matters before us.

The current House schedule works against thoughtful consideration of legislation. Committee schedules should be coordinated to reduce conflicts and overlap. In addition, committees should not meet when the House has legislation under consideration on the floor. Finally, we suggest that the House schedule be revised to create a more family-friendly atmosphere.

Copies of legislation should be available for review prior to consideration. If this is not feasible, the period of debate on the measure should be extended or an executive summary of the measure should be made available prior to consideration. Debate time on bills brought up under closed or modified rules should be lengthened so that all issues are fully explored. In addition, major legislation should be structured so that non-committee Members can engage sponsors in colloquy concerning the impact and scope of proposed legislation. Special orders should be limited in duration for individuals but also structured to encourage longer debates between and among Members. Special orders have become a bonus of free television time -- which some Members have seen as an opportunity to entertain their constituents for hours on end -- rather than as a limited opportunity for Members to address specific issues of concern.

To assure that chairs are appropriately responsive to the Caucus, acting committee and subcommittee chairs should be subject to confirmation by the Caucus.

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Many aspects of the current seniority system invite inspection. The 103rd Congress is the most diverse in history. We hope our leaders will reflect this diversity. Therefore, we recommend the Steering and Policy Committee make recommendations that represent the diversity of the Caucus and give Members wide ranging choices for committee and subcommittee chairs. To give more Members opportunities to serve as chairs, we recommend that no Member be allowed to chair more than one committee or subcommittee. Finally, so that more junior Members can be recognized for their diligence in attending hearings, we recommend that Members be called upon in their committees by order of appearance at the hearing.

Summary of recommendations:

- A) limit individual special orders and allow for Oxford-style debates;
- B) prohibit scheduling of committee sessions while the House is in session, and endeavor to minimize scheduling conflicts and overlap among committee meetings;
- C) require that copies of measures be available for a specified period of time before the measure can be considered; if not feasible, extend the period of debate on the measure which is not available in written form or require an executive summary of the measure to be available prior to consideration;
- D) extend general debate time if there is a closed or modified rule;
- E) allow time for colloquy for non-committee members to question leaders on bills on the floor in addition to extended debate;
- F) recommend to the Joint Committee on the Organization of the Congress that it aggressively work to revise committee jurisdictions, so as to avoid duplication and multiple referrals;
- G) allow for Democratic Caucus confirmation of acting committee and subcommittee chairs;
- H) direct the Steering and Policy Committee to give consideration to merit, length of service on the committee, diversity of the Caucus and commitment to the Democratic agenda when making nominations for committee chairs;
- I) require that no Member shall simultaneously serve as chair of more than one committee or subcommittee, or as chair of a committee and a subcommittee;
- J) adopt rules requiring committee members to be recognized in order of appearance for the purpose of making opening statements or asking questions of witnesses.
- K) deem the daily Journal read and approved, provided that within five days any member may propose a motion to correct the Journal, specifying the language to be removed and the language to be substituted or added;

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- L) the motion to adjourn shall not be in order unless the House shall have been in session for at least five hours or the Speaker shall certify that the House has finished its business for the day; a motion to adjourn shall not be in order if offered by a member who has previously during the same day offered a motion to adjourn.

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VI. CONCLUSION:

This reform agenda is the work of many authors and builds on the ideas of other reformers who have taken important steps in making the Congress a more effective body. This is as it should be. Reform and revitalization should be a standard part of the work of the Congress. Today we take a significant step forward with a comprehensive reform agenda that touches on many important issues. But neither our work nor the reform process stops with the adoption of this report by the new Members of the Democratic Caucus.

We will draft specific language on Rules changes and help craft bills that embody the legislative principles outlined in this document. We will push for adoption of these initiatives, both in the Caucus and on the House floor.

What we propose is a renewal of the social contract between the American people and their representatives. The spirit of renewal is strong. We encourage all of our colleagues to join us in the timely consideration and adoption of these recommendations.

TILLIE K. FOWLER
4TH DISTRICT, FLORIDA

ARMED SERVICES COMMITTEE

SUBCOMMITTEES
MILITARY INSTALLATIONS AND
FACILITIES
MILITARY FORCES AND
PERSONNEL

MERCHANT MARINE AND
FISHERIES COMMITTEE

SUBCOMMITTEES
MERCHANT MARINE
COAST GUARD AND NAVIGATION



Congress of the United States
House of Representatives
Washington, DC 20515-0904

REPLY TO
 413 CANNON BUILDING
WASHINGTON, DC 20515-0904
(202) 225-2501
FAX (202) 225-8318
FLORIDA DISTRICT OFFICES
 4452 HENRICKS AVENUE
JACKSONVILLE, FL 32207
(904) 735-8000
FAX (904) 387-0088
 533 N. NOVA ROAD
ORMOND BEACH, FL 32174
(904) 872-0754
FAX (904) 872-8984

STATEMENT BY
THE HONORABLE TILLIE K. FOWLER

BEFORE THE
JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS

APRIL 1, 1993

I WANT TO THANK THE MEMBERS OF THE COMMITTEE FOR GIVING US THIS OPPORTUNITY TO TESTIFY HERE TODAY ABOUT THE REFORM PACKAGE PUT FORWARD BY OUR REPUBLICAN FRESHMAN CLASS.

AS CO-CHAIRS OF THE CLASS' TASK FORCE ON REFORM, REPRESENTATIVE TORKILDSEN AND I SENT OUT A QUESTIONNAIRE TO ALL FRESHMEN REPUBLICAN MEMBERS, SOLICITING THEIR IDEAS ON REFORM.

WE COMPILED ALL THE RESPONSES INTO A LIST OF ABOUT 50 IDEAS. AFTER THAT THE CLASS MET SEVERAL TIMES TO DISCUSS AND DEBATE THE LIST AND TO NARROW IT DOWN TO THE PACKAGE OF MAJOR REFORMS THAT WE ARE SUBMITTING TO YOU TODAY.

OUR REFORM PACKAGE OF 19 SPECIFIC ITEMS SEEKS TO DO THREE GENERAL THINGS:

- 1- IT OPENS UP THE DEMOCRATIC PROCESS, GIVING ALL 435 MEMBERS A GREATER VOICE IN WHAT WE DO.
- 2- IT BRINGS TO THE INSTITUTION SOMETHING WE ARE VERY FOND OF IN MY HOMESTATE-- SUNSHINE. SOME OF OUR ITEMS WILL ALLOW THE PRESS AND THE PUBLIC ACCESS TO BUSINESS NOW KEPT SECRET.
- 3- IT MAKES MEMBERS MORE ACCOUNTABLE FOR THEIR ACTIONS. WE SEEK TO ELIMINATE MANY OF THE INSTITUTIONAL RULES DESIGNED TO PROTECT MEMBERS FROM ACCOUNTABILITY.

BEFORE I GET INTO THE SPECIFICS OF OUR PROPOSAL, I'D LIKE TO TAKE A MOMENT TO TELL THIS COMMITTEE OF MY CLASS' COMMITMENT TO WORK WITH REPRESENTATIVES SHEPHERD AND FINGERHUT AND THEIR CLASS. WE THINK THEY HAVE DONE AN OUTSTANDING JOB WITH THEIR REFORM PACKAGE, AND WE LOOK FORWARD TO WORKING WITH THEM TO FIND AREAS OF MUTUAL AGREEMENT.

WHEN THE AMERICAN PEOPLE SENT 110 NEW MEMBERS OF CONGRESS TO WASHINGTON, THEY EXPECTED US TO WORK TOGETHER AS NEW MEMBERS, NOT AS DEMOCRATS OR REPUBLICANS. I THINK WE ARE MISSING THE WHOLE POINT OF OUR BEING HERE IF WE DO NOT JOIN FORCES FOR CHANGE.

IT IS ONLY BY WORKING TOGETHER THAT WE WILL AFFECT THE KIND OF CHANGE THE AMERICAN PEOPLE THOUGHT THEY WOULD GET BY SENDING 110 NEW MEMBERS TO THE U.S. CONGRESS.

1

TO BRING ABOUT THAT CHANGE WE ARE PROPOSING THE FOLLOWING REFORMS:

TERM LIMITS FOR MEMBERS

FIFTEEN STATES HAVE PASSED TERM LIMITS MEASURES. AS MORE AND MORE STATES PASS ENACT THEIR OWN TERM LIMITS LAWS, IT IS TIME CONGRESS ENACTED A FEDERAL LAW COVERING ALL MEMBERS OF CONGRESS.

LIMIT COMMITTEE CHAIRMEN/RANKING MEMBERS TO THREE TERMS

THE REPUBLICAN CONFERENCE HAS ALREADY ADOPTED TERM LIMITS FOR RANKING MEMBERS. COMMITTEE CHAIRMEN SHOULD BE SUBJECT TO THE SAME THREE-TERM LIMIT. THIS WILL OPEN UP THE PROCESS

REDUCE THE NUMBER OF COMMITTEES AND SUBCOMMITTEES

MANY TIMES MORE THAN ONE COMMITTEE HAS JURISDICTION OVER A SINGLE ISSUE. JURISDICTION SHOULD BE STREAMLINED AND THE NUMBER OF COMMITTEES AND SUBCOMMITTEES SHOULD BE REDUCED.

REQUIRE 2/3 VOTE TO BRING A CLOSED RULE TO THE FLOOR

RULES THAT DO NOT ALLOW AMENDMENTS TO BILLS SHOULD BE APPROVED BY A 2/3 VOTE OF CONGRESS. IN THE 95TH CONGRESS, THERE WERE 179 OPEN RULES. LAST CONGRESS, THERE WERE 37. IN THIS CONGRESS, THERE HAVE BEEN NONE.

REQUIRE THAT ALL LEGISLATION CONTAIN A FISCAL IMPACT STATEMENT ON GOVERNMENT SPENDING AND PRIVATE SECTOR SPENDING (MANDATED COSTS)

MEMBERS SHOULD KNOW IN ADVANCE HOW MUCH AN INITIATIVE WILL COST TAXPAYERS BOTH DIRECTLY AND INDIRECTLY.

BAN PROXY VOTING IN COMMITTEES AND SUBCOMMITTEES

MEMBERS ARE CURRENTLY ALLOWED TO MISS COMMITTEE MEETINGS AND HAVE THEIR VOTES COUNTED BY GIVING THEIR "PROXY" TO ANOTHER MEMBER. THIS PRACTICE SHOULD BE ELIMINATED.

PROHIBIT SUSPENSION OF THE RULES FOR ANY MEASURE COSTING OVER \$50 MILLION (REQUIRE 2/3 VOTE TO SUSPEND THIS RULE)

LEGISLATION WITH LARGE COSTS SHOULD BE SCRUTINIZED CAREFULLY AND SHOULD BE CONSIDERED WITH AN OPPORTUNITY FOR AMENDMENTS.

REQUIRE 3/5 MAJORITY VOTE FOR TAX INCREASES

WHEN WE WANT TO INCREASE THE BURDEN ON TAXPAYERS, IT SHOULD REQUIRE MORE THAN JUST A SIMPLE MAJORITY.

REQUIRE ROLL CALL VOTES ON ALL APPROPRIATION AND REVENUE BILLS

ALL BILLS THAT INVOLVE THE RAISING OR SPENDING OF FEDERAL FUNDS SHOULD NOT BE PASSED BY VOICE VOTE.

REQUIRE ANNUAL VOTE ON MANDATORY BUDGET SPENDING.

ALL PROGRAMS THAT SPEND FEDERAL REVENUES SHOULD BE REVIEWED ANNUALLY AND VOTES SHOULD BE TAKEN ON THEIR REAUTHORIZATION.

I WOULD NOW LIKE TO TURN THE MICROPHONE OVER TO REPRESENTATIVE TORKILDSEN WHO WILL DISCUSS THE OTHER HALF OF OUR PACKAGE. THANK YOU FOR ALLOWING ME THIS OPPORTUNITY TO REPRESENT MY CLASS ON THIS VERY IMPORTANT ISSUE. I LOOK FORWARD TO ANSWERING YOUR QUESTIONS AFTER OUR TESTIMONY.

PETER G. TORKILDSEN
6TH DISTRICT, MASSACHUSETTS

120 CARNON BUILDING
WASHINGTON, DC 20515
(202) 275-8020

70 WASHINGTON STREET
SALEM, MA 01970
(508) 741-1800

155 BRAD STREET, SUITE 108
LYNN, MA 01901
(617) 599-2424



United States
House of Representatives

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COMMITTEE

SUBCOMMITTEE
REGULATION, BUSINESS OPPORTUNITIES
AND TECHNOLOGY

Testimony of
Congressman Peter G. Torkildsen

The Joint Committee on the Organization of Congress
April 1, 1993

Thank you Mr. Chairman and Members of the Committee.

As one of 110 new members of Congress, I come before you today to speak of the need for further changes in the way Congress does business. I commend the creation of this committee to tackle this important problem.

Congress suffers from two very real problems. First, many people throughout the country still wonder if Congress is working in the general interest, and not for a slate of special interests.

Second, as cuts must be made in federal spending, many people believe cuts should start with the Congress, before they reach various federal programs, and/or the wallets and pocketbooks of Americans.

The changes proposed by the Freshmen Republicans attempt to address both of these problems.

I would now like to give a brief overview of the reforms not covered by Congresswoman Fowler.

Eliminate Appropriations Committee, Transfer Authority to Authorizing Committees and Make The Budget Resolution Binding--Perhaps our most controversial proposal, this measure will make the budget process more efficient. By eliminating the Appropriations Committee we would give spending authority to the Committee charged with responsibility

for having knowledge in a given budget area. Currently, no matter how important a Committee finds a project, it may never be funded if the appropriations committee doesn't like it. In addition, the appropriations committee can add spending that an authorizing committee specifically refused to add. This is a duplication of authority, can result in additional spending, and is unnecessary.

Make All Laws Apply to U.S. Congress--It is unfair that the Congress can ask a small business to comply with safety and labor laws and not have to comply itself. It is time Members of Congress understood the burden they place on employers by making the laws passed by Congress apply to Congress.

Allow Public Access to Discharge Petitions--It is possible for a bill in Congress to receive 434 cosponsors and never come to a vote on the floor of the house. If a chairman of a committee does not want to see action on a bill then he or she can bury it in committee. The only way to get it out is through a discharge petition which is kept locked on the floor of the House. Members can cosponsor legislation that sounds good, but they can refuse to sign the discharge petition and no one will ever know they didn't really want the measure passed. By making the discharge petition public we can make Members more accountable for their sponsorship of bills and make chairmen more responsive to the will of the House.

Line-Item Veto--This is a management tool that President Clinton specifically asked for during the election. Forty-three governors currently have the power of a line item veto and they use it to eliminate wasteful and unnecessary spending. Congressional interests are not always national interests, and the President can use a line-item veto to cut special interest items out of appropriations, or more importantly, to convince Congress not to add them in the first place.

Balanced Budget Amendment--The Clinton Administration has stated deficit reduction is a priority, and this amendment will help force Congress to reach that goal. There are several proposals, sponsored by both Democrats and Republicans, that will require a balanced budget.

Reduce Committee Budgets By a Total of 25 Percent--This week the House voted on a committee funding bill that really did not cut committee budgets at all. Nine standing committees will see their budgets go up, not down. And the committee with the largest cut is the Ethics Committee. Overall there is a five percent cut, but most of that comes from the previously eliminated Select Committees.

Reduce Franking Accounts and Require Automatic Disclosure of Monthly Franking Reports--The average challenger in the last election cycle spent less money than the average incumbent used in franking. This is clearly unfair. Currently the only reports made public on the franking accounts are the totals found in the quarterly Clerk of the House Reports.

The monthly statements showing the type of mail sent and the amount sent each day should be readily available to the public so the people will know who uses the frank, when it is used, and how often it is used.

Return to the Treasury all Savings From the Elimination of the Select Committees and Unspent Member Office Funds-- The select committees were eliminated to save money and as such, the money should not be spent in other places. Unspent money in Members Offices would also go back to the Treasury as money that was saved, not money that can be spent elsewhere.

Reduce Spending on Former Speakers--The current law provides over half a million dollars every year for former speakers to conclude their business. But none of our current former speakers has decided his business has concluded. This measure will limit the speakers fund to three years for each retiring speaker.

Campaign Finance Reform--This is a major issue in of itself. A package of specific campaign finance reforms will be put together and presented by the freshmen Republicans in four to six weeks.

These changes will not solve every problem. But they are a common sense start to restoring public confidence in the United States Congress. While not everyone may agree with me, I believe Congressional reform is among the most important issues we will debate in this Congress, including cutting the deficit and helping our economy, and reforming our health care system. I appreciate the opportunity to testify, and look forward to your questions.

Congress of the United States
House of Representatives
Washington, DC 20515

**FRESHMAN REPUBLICAN
CONGRESSIONAL REFORM PROPOSALS**

MARCH 30, 1993

REP. TILLIE K. FOWLER
CHAIRWOMAN

REP. PETER G. TORKILDSEN
CHAIRMAN

★**ORGANIZATIONAL REFORMS**★

Eliminate Appropriations Committee

The Appropriations Committee would be eliminated and its authority would be transferred to the authorizing committees.

Make all laws apply to the U.S. Congress

Congress should not exempt itself from any law it passes.

Reduce the number of committees and subcommittees

Many times more than one committee has jurisdiction over a single issue. Jurisdiction should be streamlined and the number of committees and subcommittees should be reduced.

Limit committee chairmen/ranking members to three terms

The Republican Conference has already adopted term limits for ranking members. Committee chairmen should be subject to the same three-term limit.

Term limits for Members

As more and more states pass term limits laws, it is time Congress enacted a federal law covering all Members of Congress.

★**PROCEDURAL REFORMS**★

Allow public access to discharge petitions

When a bill is held up in a committee, a discharge petition signed by a majority of Congress can bring the bill directly to the House floor. Signatures on discharge petitions are now kept secret.

Require 2/3 vote to bring a closed rule to the floor

Rules that do not allow amendments to bills should be approved by a 2/3 vote of Congress.

Require that all legislation contain a fiscal impact statement on government spending and private sector spending (mandated costs)

Members should know in advance how much an initiative will cost taxpayers both directly and indirectly.

Ban proxy voting in committees and subcommittees

Members are currently allowed to miss committee meetings and have their votes counted by giving their "proxy" to another Member. This practice should be eliminated.

Prohibit suspension of the rules for any measure costing over \$50 million (require 2/3 vote to suspend this rule)

Legislation with large costs should be scrutinized carefully and should be considered with an opportunity for amendments.

Require 3/5 majority vote for tax increases**Require roll call votes on all appropriation and revenue bills**

All bills that involve the raising or spending of federal funds should not be passed by voice vote.

Require annual vote on mandatory budget spending.

All programs that spend federal revenues should be reviewed annually and votes should be taken on their reauthorization.

☆FISCAL REFORMS☆**Line-Item Veto****Balanced Budget Amendment****Reduce committee budgets by a total of 25 percent from FY 93 levels****Reduce franking accounts and require automatic disclosure of monthly franking reports**

Members currently receive a monthly statement of mailings sent through the folding room. These statements should be made public.

Return to U.S. Treasury for debt reduction all savings from elimination of select committees and unspent Member office funds.**Reduce spending on former Speakers**

Limit the number of years a former Speaker receives federal funds to assist in conclusion of his or her business.

☆CAMPAIGN FINANCE REFORM☆

Campaign finance reform is a major issue itself, and a package of campaign finance reforms will be proposed by the Freshmen Republicans within four to six weeks.

STATEMENT OF SENATOR PATTY MURRAY
BEFORE THE JOINT COMMITTEE ON THE
ORGANIZATION OF CONGRESS
APRIL 1, 1993

Chairman Boren, Chairman Hamilton, Senator Domenici, Congressman Gradison. Thank you for the invitation to appear before the Committee today.

When I was in high school, I never dreamed I would become an elected official, much less a United States Senator. I always thought Senators had to be tall and rich and male. It's funny how many people in this country still believe that. But, my parents always told me that the little guy is just as important as the big guy. And, I believe that.

Having been here barely three months, I understand how easy it is to sit in the Senate and forget that America is made up of "little guys." It is easy to forget that our actions affect millions of citizens across this country. In the middle of the turf battles, filibusters, the cloture votes and the quorum calls, can we hear the call from Americans to stop business as usual and end the gridlock?

Strangely enough, reform to me means doing what we were sent here to do - make tough choices, take tough votes and enact programs to help people. This is what I think it means to the American people. We are kidding ourselves if we think reform is about charging fees for the gym or changing the hours of the cafeteria.

To the average American, Congress has missed the boat on reform. Americans are frustrated. They struggle in their own lives while their perception is that Congress treats itself like royalty. Headline-grabbing scandals about abuses of power or perks have our phone ringing off the hook for reform. But when the glare of the spotlight has dimmed, the need for change seems to disappear with it. The first message from the people is for us to get our own house in order.

At a time when we are asking the American people to make major sacrifice, we must make sacrifice, too. I applaud the initiative of the Speaker and Majority Leader in implementing a one-year, across-the-board freeze in Legislative Branch salaries; in moving to reduce Congressional personnel by 4 percent in two years, and administrative spending by 14 percent in four years.

But what about looking at duplication of effort. For example, do the House and Senate need separate payroll systems? How much more does it cost to issue payroll checks twice month, as we do in the Senate, rather than once a month, as in the House?

As a new Member of the Legislative Branch Appropriations Subcommittee, I will be looking at these and other ways to make Congress more efficient AND cost-effective.

If the first message from the people is to get your own house in order, the second is do not abuse the power given to you by your neighbors and friends. I can think of no better example of misuse of power than sexual harassment. Congress must take a tough stand against sexual harassment. As a State Senator, I worked on drafting the first policy on harassment and discrimination for the Washington State Senate. I have attached a copy of the policy to my prepared statement.

I am pleased that the 1991 Civil Rights Act set up an Office of Fair Employment Practices in the Senate. This is a good first step, but it is only that. Most victims of sexual harassment are women working for men who control their paychecks and have a tremendous impact on their self-esteem and their professional development. These women must have access to the full range of remedies for the harassment they experience -- remedies including compensatory and punitive damages as well as reinstatement and hiring with back pay.

These protections should be available to women wherever they work, including institutions like Congress, the judiciary and the military. These institutions should not be exempt from laws prohibiting sexual harassment. And, victims of harassment in these work environments should also have access to our justice system.

In addition, I believe that we must face ourselves and the American people squarely, and not pretend that harassment does not take place in the halls of Congress. If we are going to truly eliminate harassment in our workplace, we must institute special education and training programs for Members and their staffs. I would like to see the Senate take the lead in this effort.

Finally, I would like to talk about representative government -- the idea that elected officials should come from all walks of life, all ages, all backgrounds. Although there are many obstacles to getting here, serving here is another story. It is very difficult to have a predictable life.

My son Randy asked me whether he had to get an appointment on my schedule just to see me.

The cost of running and staying in office, the schedule, the demands discourage most ordinary people from all seeking public office, let alone a seat in the Senate. As a result, we do not have representative government. We do not even have family-friendly government. The Senate may look a bit more like America than it did last year, but not much.

Some of the solutions -- campaign finance reform and procedural changes -- are like the Loch Ness monster: much discussed but rarely seen. They could help make the Senate and Congress a more representative place. Changes in procedure could make the Senate, at least, a more predictable place. Just last week, the Senate worked on the Budget Resolution until well past most kids' bedtime... and well past the bedtime of some Members from what I could tell. I had to miss my daughter's first school play since we moved here from Seattle in January. And now, here we are again this week, caught in gridlock.

This is precisely the type of situation I was elected to stop. As a Senator, my power to stop bills far outweighs my power to move bills. In January, the Majority Leader proposed a series of procedural changes to make the schedule more predictable. Simple things, logical things, like counting time in quorum calls against the Senator who called the quorum, or limiting debate on motions to proceed, or requiring amendments to be germane.

I would add several things to the Majority Leader's list: make the ever-changing list of possible amendments available periodically; make summary explanations of amendments available; and require that a vote cannot begin until a written copy of the amendment has been made available to any Senator who wants one. For example, during the Motor Voter bill I was forced to vote on amendment without being able to see a copy of it. A page handed me a copy AFTER the vote had been announced.

The minutia of procedural and administrative reforms may be of interest to C-SPAN junkies and lobbyists. But in the other Washington and throughout the country, reform means legislating. We can require that all amendments be germane, we can ban quorum calls and we can work harder in Committee. But all the reform in the world will be meaningless until we, as legislators, have the guts and courage to vote to make a difference.

Thank you for the chance to appear before your Committee.

HARASSMENT & DISCRIMINATION

It is the policy of the Washington State Senate to provide and maintain a working environment free from discrimination and harassment on the basis of sex, race, or any other status protected by law. Senate members and employees are expected to maintain a workplace which is free from unlawful discrimination and to conduct themselves in such a way as to ensure that no discrimination occurs in any action with respect to hiring, firing, compensation, benefits, promotions, reclassification, disciplinary actions, or any other working conditions.

Harassment and discrimination undermine the integrity of the employment relationship and the self-esteem of the individuals to whom they are directed. All employees must be allowed to work in an environment free from unsolicited and unwelcome comments or conduct. Any member or employee who knows of harassment or discrimination will take appropriate steps under the Senate policy and procedure to correct/stop such misconduct. Any current member or employee conduct which violates this policy will not be condoned and will be subject to disciplinary action.

HARASSMENT

Harassment includes but is not limited to comments, slurs, jokes, innuendos, cartoons, pranks, requests for favors or other verbal or physical conduct of a sexual, racial, or other nature related to a protected status, when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis of employment decisions affecting the individual; or
- Such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

No member or employee will attempt to influence, control or otherwise affect the career, salary, job tasks or performance of an employee through harassment. In addition, no member or employee will intentionally make or engage in any verbal comments, gestures

or physical conduct of a nature which is interpreted by the receiver as unwelcome, offensive, or harassing in nature.

DISCRIMINATION

Discrimination occurs when an action or decision with respect to hiring, firing, compensation, benefits, promotions, reclassification, disciplinary actions, or other working conditions is made on the basis of protected status. Persons having questions about discrimination may contact intake officers of the Washington State Human Rights Commission for assistance during regular working hours at 753-6770. Such contact does not constitute the filing of a formal complaint with the agency.

COMPLAINT/INVESTIGATION PROCEDURE

In addition to the procedures set forth below, an employee who feels that he/she has been the subject of harassment and/or discrimination may file a complaint with the Washington State Human Rights Commission or the Federal Equal Employment Opportunity Commission within six months from the date of the alleged harassment or discrimination.

Some individuals may be unaware that certain words or conduct are offending others in the work environment. If you are offended by the words or conduct of a member or fellow employee, it is suggested that you request that the individual refrain from the conduct found to be offensive. If this approach is unsuccessful, it is suggested that you speak with the appropriate supervisory staffperson. A request that the individual discontinue the offensive conduct is not a prerequisite to filing a complaint.

If you feel that you have been the subject of employment discrimination, it is recommended that you request an explanation for the action from the appropriate supervisory staffperson.

Complaints shall be filed with a lay member designated by the Senate Ethics Board.

Upon receipt of the complaint, the designated lay member will forward copies of the complaint to the majority and minority leaders, who will appoint an investigative committee composed of a member from each caucus. In the event that the majority or minority leader is the subject of the complaint, the majority or minority caucus chair shall receive the complaint and appoint the investigative committee member from the caucus. The Office of Senate Counsel will serve as staff to the appointed members.

All efforts will be made to handle the complaint and the investigation in a confidential manner. The investigation may include interviews with the parties who are directly involved, and where necessary, members and/or employees who may have observed or have knowledge of the alleged harassment/discrimination or who may be similarly situated with the complainant.

The complainant and respondent will be notified of the committee's findings and recommendations in writing. These findings and recommendations, together with any supporting documentation, will be forwarded to the Senate Facilities & Operations Committee for appropriate action.

APPEALS

Within 7 days of receipt, complainants or respondents who disagree with the investigative committee's findings and recommendations may appeal to the Senate Facilities & Operations Committee by filing a written notice of appeal with the Committee Chair. The committee will conduct its review of the appeal within 21 days of receipt. The committee may conduct further investigations.

DISCIPLINARY OR REMEDIAL ACTION

In the case of members, disciplinary action may include reprimand, censure, or expulsion. For employees, appropriate actions may include verbal or written reprimand, probation, suspension, or termination.

The Senate Facilities and Operations Committee will take final action on the recommendations, except in the case of the censure or expulsion of a member. In such cases, the Secretary of the Senate will provide a method for conducting a vote of the Senate in the event that the legislature is not in session.

If the committee believes that the facts may constitute a criminal violation, it will notify the appropriate law enforcement agency.

In cases of alleged discrimination, the employment action taken or not taken will be subject to review and action by the committee.

COMMUNICATION OF POLICY TO EMPLOYEES AND MEMBERS

New employees will have a copy of the policy included in their new employee packets, and will be required to sign a copy to be included in their personnel files.

Current employees will be included in training sessions and supplied with a copy of the policy and be required to sign and return it to Senate Accounting. Members will be

briefed on the policy, provided with a copy of the policy as part of their orientation materials, and given the opportunity to participate in training sessions. The Senate policy will be incorporated into the Senate Personnel Policies and Procedures, which are also included in the Senate Reference Manual. Copies of the policy will be posted in each division.

Adopted June 24, 1991 by Senate Facilities and Operations Committee



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