

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### WHAT THE CONSTITUTION SAYS

Mr. BARTLETT of Maryland. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. BARTLETT of Maryland. Mr. Speaker, a few days ago we paused to recognize Constitution Day. I thought it would be appropriate this evening if we spent a few moments looking at the Constitution.

But in order to really understand the milieu in which the Constitution was created, I think we need to go back 11 years before the Constitution was ratified to the Declaration of Independence. In there we read these words: We hold these truths to be self-evident that all men are created equal.

Mr. Speaker, we mouth those words today, and then we move on to the next clause, and they mean so little to us compared to what they meant to our Founding Fathers. You see, most of our Founding Fathers came from countries in the British Isles and in Europe that were ruled by a king or an emperor who claimed, and incredibly was granted, divine rights. What that says is that the rights came from God to the king or the emperor, and he would give what rights he wished to the people.

And we made a stark departure from that. Fourscore and 7 years later, Abraham Lincoln was to note that this new experiment might not work. He said in his Gettysburg Address that: We are now engaged in a great war testing whether this Nation or any Nation so conceived and so dedicated can long endure.

We hold these truths to be self-evident that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness.

It took 11 years for the promise of the Declaration of Independence to be fulfilled in the Constitution that was ratified in 1787. The ink was hardly dry on the Constitution before our Founding Fathers wondered if it really was clear that they meant to have a very limited Federal Government with essentially all of the rights belonging to the people.

And so they wrote 12 amendments; 10 of them made it through that process of two-thirds of the House, two-thirds of the Senate, and three-fourths of the State legislatures, and we know them as the Bill of Rights. I think we all too seldom review these Bill of Rights.

The first eight deal with pretty specific rights that the people have, like

the right to worship as they please, and to speak freely, in the first amendment; the right to keep and bear arms, much misunderstood in the second amendment. And then third, fourth, fifth, sixth, seventh and eight all deal with specific rights of the people. And then the ninth amendment, seldom referred to, but they wanted to make sure that having enumerated certain rights as belonging to the people, that the reader of the Constitution and these amendments understood that essentially all of the rights belonged to the people.

Notice what they said in the ninth amendment. The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people. In other words, just because we did not mention a right in the Constitution or these amendments as belonging to the people, that is where essentially all of the rights belong. So do not disparage these rights to people. They do belong to the people.

And then the most violated amendment in the Constitution, the 10th amendment. The powers not delegated to the United States by the Constitution nor prohibited to the States are reserved to the States respectively or to the people.

What this really says in plain everyday English, without the old English and the legalese, is if you cannot find it Article I, section 8, you cannot do it.

Now, we are doing a great many things in this Congress that neither I nor anyone else can find a sound basis for in the Constitution, and this is pretty widely recognized. As evidence of that, I have, and I think this was a joke from Jay Leno, that is one of the places that it was heard. "They keep talking about drafting a Constitution for Iraq. Why don't we just give them ours? It was written by a lot of really smart guys, it has worked for over 200 years, and we are not using it any more."

Mr. Speaker, this general recognition on the part of the citizenry that we are now largely ignoring the Constitution ought to cause us to rethink what we are doing.

I am not saying that the things that we are doing are not things that we ought to be doing. What I am saying is we ought not be ignoring the Constitution. This, I believe, starts us down a very slippery slope. If I can argue it is okay to do these things, like philanthropy, and, by the way, do a Google search for Davy Crockett and farmer, and you will get a great discussion of philanthropy, health care and education, I am not arguing that these are not things that the Federal Government might ought to be doing. I am simply arguing that if we are going to do them, we need to have amended the Constitution, because I am very concerned that if we can ignore the Constitution now, that we can ignore it in the future for some very important civil liberty that we have.

Mr. Speaker, I am very concerned that the general malaise on our part in referring to the specifics of the Constitution will serve us no good purpose in the future, and I think that we need to look at every law that we pass to make sure there is a firm basis in the Constitution.

This is a wonderful document. We have one person in 22. We have a fourth of all the good things in the world. I think it is because of the milieu that was established by this Constitution, the civil rights. No other constitution, no other bill of rights provides such civil liberties. To remain who we are, I think that we need to stick by our Constitution.

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

(Ms. CORRINE BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### DEMOCRATS ARE PREPARED TO LEAD THE COUNTRY IN A NEW DIRECTION

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentlewoman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, the budgets crafted by the Bush administration and the Republican majority do not address our national short-term or long-term objectives or the values of our Nation. It is time for a new direction.

To meet our Nation's goals of economic security for our families and security for our homeland, Democrats have offered a plan.

Democrats believe in paying down the debt and maintaining fiscal restraint and discipline.

Democrats believe in real investment in life-long education which enables every American to reach their potential and strengthens the long-term financial security of our families and our Nation.

Democrats believe in budgets that invest in our armed services to defend our homeland and to protect the men and women who defend us. Democrats believe in tax fairness and tax cuts for the middle class. We believe in helping Americans pay for college, buy their first home, find affordable health insurance, and save for retirement. We understand the priorities of everyday Americans.

The Republican budgets of the last 5 years have failed to meet each of these objectives. At a time when American families are facing stagnant wages and ever-increasing bills for child care, for health care, for college tuition and for